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| Application Number | 16/01157/AS |
| Location | Former Pledges Mill and South Kent College Site and land south of junction of Beaver Road and, Victoria Road, Ashford, Kent |
| Grid Reference | 00992/42245 |
| Parish Council | None |
| Ward | Victoria |
| Application Description | Full planning application for development of a brewery, with shop, bar and restaurant (Use Classes B2/A1/A3/A4), three commercial units (Use Classes A1/A2/B1) and 216 residential units with associated parking, substations, landscaping and access works. |
| Applicant | HDD Ashford |
| Agent | Nathaniel Lichfield & Partners |
| Site Area | 1.67 |

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| (a) 200/10R, 2S, 2X | (b) - | (c) NE x, PROW X, SGN X, HM X, EH(EP) X, KHS X, PM X, POL X, SE X, Stagecoach X, SACF X, VBRAG R, KCC (Flooding) R, PO (Drainage) R, EA X, KCC (Eco) X, KWT X, Network Rail X, CSCF X |
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Introduction

1. This application is reported to the Planning Committee because the application is a major and significant development and, as such, is required to be determined by the Planning Committee under the Council's scheme of delegation.
2. The proposal has been the subject of pre-application discussions helping to refine the appearance and layout to positively respond to the site context and the need for high quality development at the eastern end of Victoria Road. This is important as the application site forms the entrance into the Southern Expansion Quarter as defined in the Council's Ashford Town Centre Area Action Plan (TCAAP) 2010.

3. The proposal, along with the proposals in relation to applications 16/01164/AS (hotel) and 16/01167/AS (superstore) was the subject of Design Review in early 2016. A copy of the Design Panel's letter is attached as an Annex 1 to this report and is applicable to all the applicant's proposals on this agenda. How the scheme has taken forward the issues raised through this critical review is dealt with in the Assessment section of the report.
4. During the course of dealing with the application, the applicant has addressed consultee responses alongside my feedback and has made further refinements to the scheme as a result. In my opinion, in the specific context of this proposal none of the changes that have been made necessitate further general consultation.
5. Finally, the proposal does not contain any affordable housing and has been submitted with a Viability Report in respect of an inability to make the full range of s.106 contributions to mitigate scheme impacts pursuant to the provisions of the adopted development plan. The applicant has funded an expert independent review of the case proffered. The Assessment section of the report sets out:-
 - (i) the policy starting point in relation to developer contributions,
 - (ii) the outcome of the viability review,
 - (iii) negotiations with the applicant in relation to partial contributions, and
 - (iv) recommended prioritised apportionment .

Site and Surroundings

6. The site comprises a total 1.67ha site involving land on the northern side of Victoria Road adjacent to the western side of Beaver Road bridge as well as land on the southern side of Victoria Road. The site is not located in a designated Landscape Character Area. There are no listed buildings within or adjacent to the site. The site is not located in a conservation area.
7. The site surroundings comprise a mixture of business uses (predominantly on the southern side of Victoria Road further to the west), a residential area further to the west (comprising Victoria Crescent and homes on Victoria Road opposite the primary school), Victoria Road itself, a petrol filling station on Beaver Road and the domestic and high speed railway lines north of Victoria Road.
8. The application site on the northern side of Victoria Road abuts the western side of Beaver Road bridge over the railway lines and the signalised Beaver Road/ Avenue Jacques Fauchaux junction. To the north are the railway lines and further north still is Elwick Road and the new college building that is currently being constructed. To the west of the application site is an area of derelict ground subject of application 16/001167/AS also reported on this

agenda for development of a superstore. Further to the west is a warehouse building substantially set back from Victoria Road. The southern side of the application site involves the realigned and significantly visually improved Victoria Road and remnants of the original Victoria Road that rose gently towards Beaver Road bridge. The annotated aerial image below shows these remnants as well as the warehouse building further to the west.



9. In respect of the application site on the southern side of Victoria Road, this abuts the existing street boundary to that Road, wraps around the existing petrol filling station on its three non-Beaver Road boundaries, extends southwards to the Great Stour riverside and the existing footway/cycleway route running through that area before crossing the river by bridge and westwards to the former Travis Perkins site on Victoria Crescent and George Street which connects Victoria Crescent with Victoria Road
10. The sites are generally level ground but fall slightly from north to south. They contain significant amounts of concrete hardstanding and have been colonised by scrub vegetation. They contain a number of trees /groups as follows;-
 - (i) x 2 'Category B' trees and groups including a Beech tree on the southern areas' western boundary that is subject of Tree Preservation Order and a group of Crack Willow near the bank of the River Stour,
 - (ii) x 27 'Category C' trees and groups being generally unremarkable trees of compromised structure and signs of stress

(iii) x 5 'Category U' trees and groups being in poor structural/physiological condition and state of decline requiring removal on grounds of sound arboricultural management.

The overall proposal

11. Full planning permission is sought for the development of ;
 - (i) a brewery with shop, bar and restaurant (Use Classes B2/A1/A3/A4),
 - (ii) three commercial units (Use Classes A1/A2/B1),
 - (iii) a total of 216 residential units (x 16 market sale and x 200 'Build to Rent'), and
 - (iv) associated parking, substations, landscaping and access works
12. The proposal does not include any affordable housing.

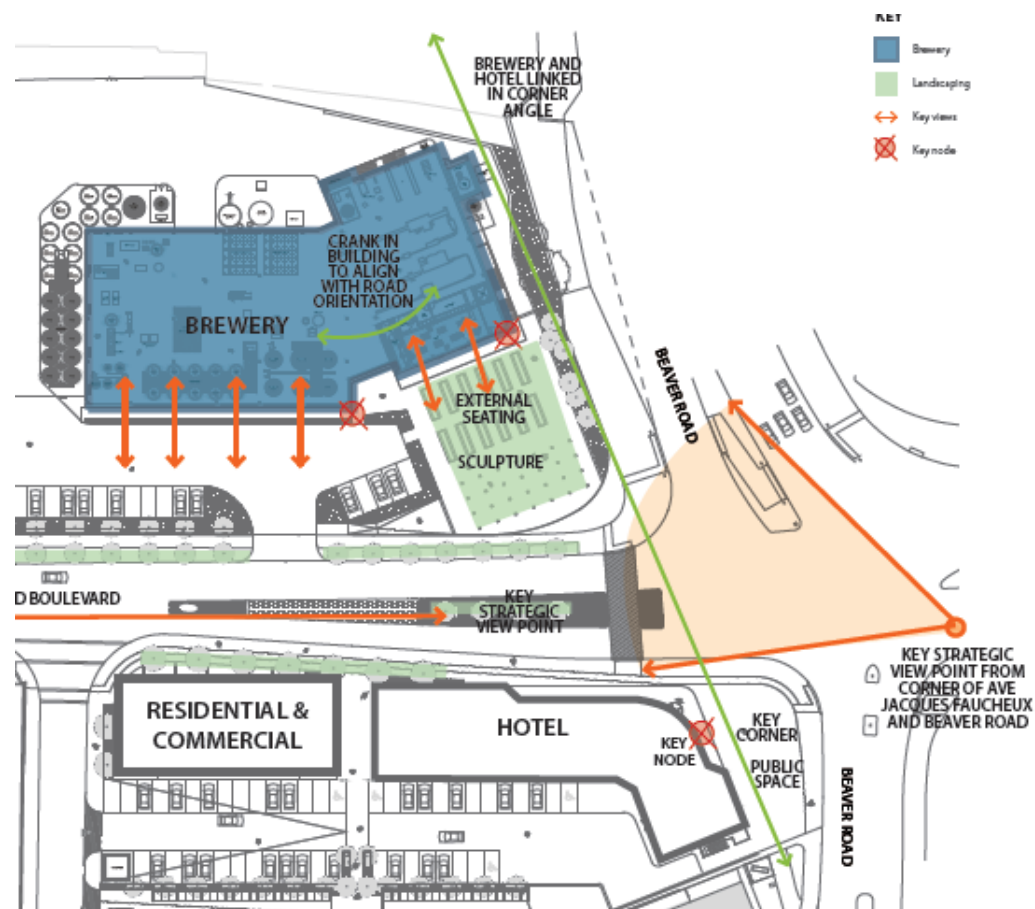
Proposal 1: Northern side of Victoria Road - the brewery and associated parking, substation, landscaping and access works

The location of the brewery building on the plot and the proposed vehicular access from Victoria Road

13. The manufacturing component of the brewery building would be located parallel to Victoria Road and set back from its northern boundary by 20m. The set back would allow both delivery vehicle and visitor parking access and egress via a single new access to Victoria Road. The mid-point of this access would be located approximately 50m to the west of the signalised junction.
14. During the course of the application, the applicant has confirmed that the materials palette for the new access would match or very closely follow the high quality materials palette used as part of the recent Victoria Road public realm enhancements. The entrance has been slightly amended to include a pedestrian visibility splay to improve pedestrian safety and the applicant has confirmed that the entrance would include a gate/barrier. The detail of the latter has been requested to form the basis of a planning condition.
15. A 21 space visitor car park is proposed along the frontage of the site including spaces for people with disabilities. To the north of this, delivery vehicles would continue onwards and turn around the building corner and enter into a secure

yard which is identified as a specific HMRC requirement relating to the production of alcohol.

16. The part of the building containing the ground floor shop and first floor level bar/restaurant is angled to align with the geometry of Beaver Road and the proposed new built frontage to that Road arising from part of the 'Build to Rent' flats south of the petrol filling station and the hotel proposal subject of application 16/01164/AS as the annotated image below shows. This part of the building would also be set back northwards from Victoria Road.



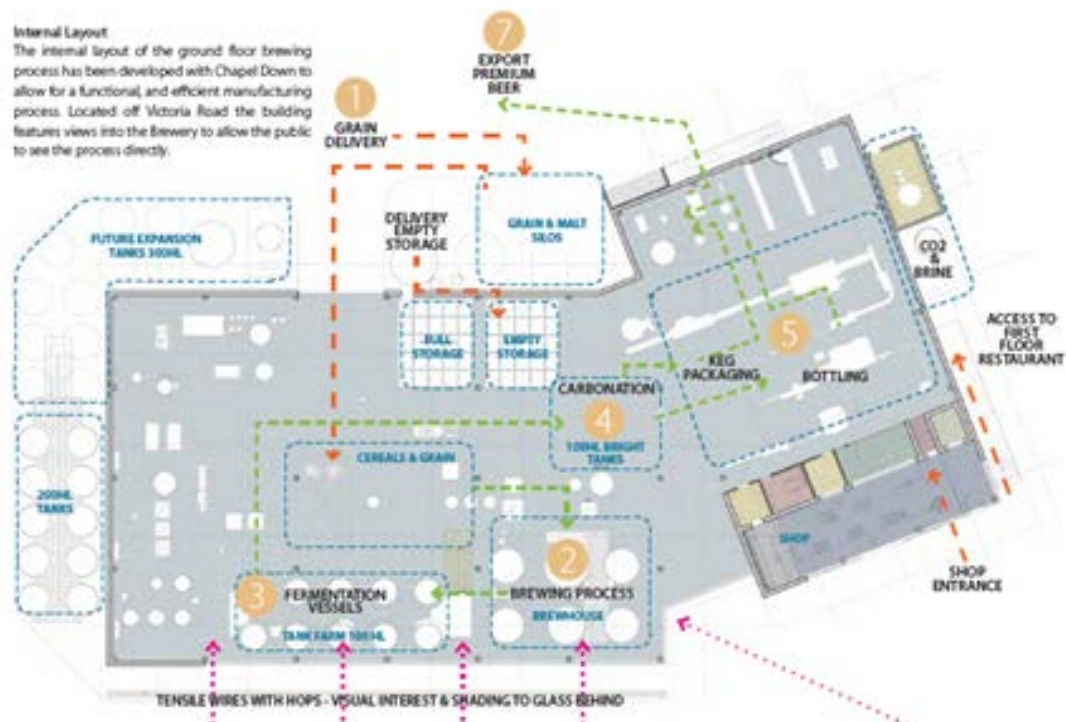
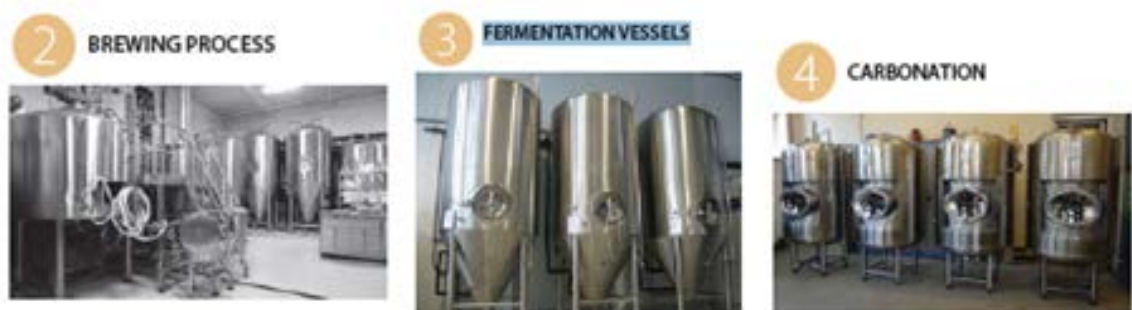
17. Despite extensive investigations at pre-application stage following design discussions about the potential street scene merits of pulling either the whole or part of the brewery building closer to the junction, the existence of underground services following the original alignment of Victoria Road has not been able to be disproven with service providers. The resultant space would now form a hard and soft landscaped entrance forecourt into the publically accessible areas of the brewery with an external spill out space fitted out with tables, seating and mood lighting with possibilities for art.

The layout, scale, architectural style, massing and appearance of the building

18. The layout of the building would follow an efficient and functional approach to the manufacturing process involving ;-

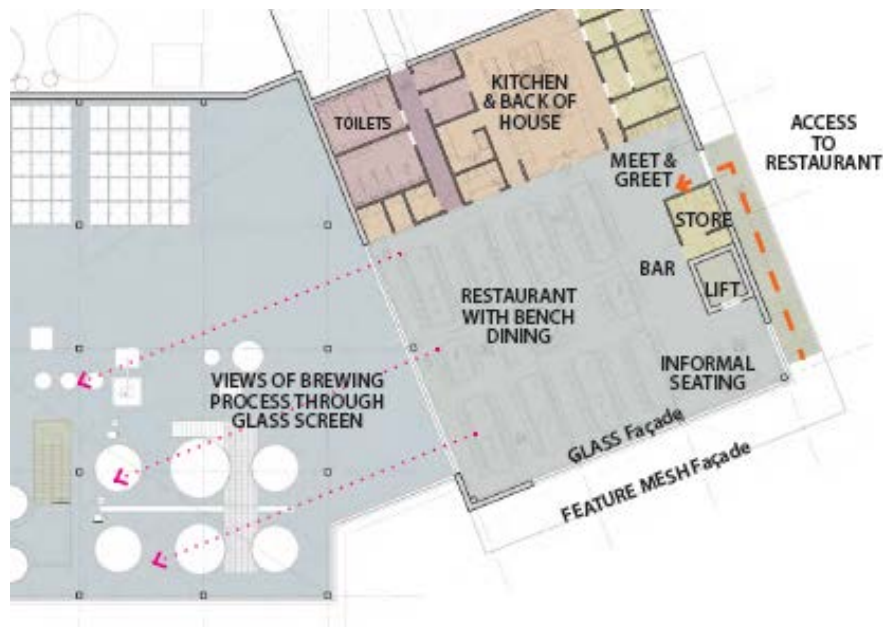
- (i) grain delivery,
- (ii) the brewing process,
- (iii) subsequent fermentation in large 100 hectolitre vessels,
- (iv) carbonation in large 100 hectolitre tanks,
- (v) keg packaging,
- (vi) bottling, and
- (vii) export.

19. The annotated images below shows the proposed arrangement of the ground floor of the brewery relating to those brewing stages and the shape, appearance and scale of the brewing equipment and fermentation vessels.



20. The scale of the internal equipment would (save for the keg packaging and bottling areas) necessitate a double height single storey space for the brewery. The façade facing Victoria Road would be 8.5m in height to the eaves.

21. The proposed 'crank' in the building element accommodating the shop and bar / restaurant element would be used to allow views from the restaurant down into the brewery via an internal glass screen wall as the image below shows.



22. The delivery, brewing, fermentation and carbonation element of the building would be rectangular in plan form and 27.5m deep, 45m wide (towards Victoria Road) with a gently sloping mono-pitch roof 8.5m in height on the Victoria Road frontage and 8m at the rear of the building. This gentle slope would allow rainwater to drain to down pipes at the rear of the building thus minimising their impact on the Victoria Road façade.
23. The ground floor shop and first floor bar/restaurant and kitchen element of the building would also be rectangular in plan form (21m wide towards the signalised junction corner and 30.5m deep). Access to the first floor would be by both internal lift as well as via an external staircase.
24. The applicant proposes a dramatic change in vertical scale for this component of the building. It would rise up to a greater 16.5m height at a single corner closest to the street junction. This change in scale is cited as being appropriate to help assist to give the brewery visual prominence and landmark qualities at the Victoria Road/Beaver Road/Ave Jacques Fauchaux junction and help manage the scale relationship with the proposed hotel building (with corner element) on the opposite side of Victoria Road.
25. The nature of a functional efficient plan layout, the spatial requirements of brewing kit and the desire to make a dramatic corner with landmark qualities combine to produce a modernist architectural style. The image below shows the brewing and fermenting building frontage to Victoria Road as being strongly glazed recessed behind a colonnade supporting the roof. Climbing

plants (from a long planter helping protect the glazed frontage) referencing hop growing are a further vertical component of this proposed long frontage parallel to Victoria Road.

26. The CGI images below show the rising corner in greater detail. The ground floor facing the entrance forecourt and seating area would be strongly glazed. The staircase to the first floor restaurant is proposed to have mood lighting and a distinctive open area following the handrail. The staircase would be provided with shelter by an over-sailing section of roof.
27. Vertical black metal diamond shaped lattice work (without need for a corner down post) is proposed to project above the staircase and wrap around the frontage from first floor level up to the roof. The applicant has identified that the diamond shape is a reference to the logo on Chapel Down's 'Curious' line of drinks. The visually permeable nature of the lattice work would allow the first floor bar and restaurant to be visible from the street junction, especially at night.
28. During the course of the application the applicant has confirmed that minor changes to the Victoria Road frontage have needed to be made as a result of moving forwards with more detailed design work. Principally, the 'knuckle' where the crank in the building occurs was originally shown is being glazed. Concerns about that additional glazed element leading to internal overheating have resulted in amendments which propose this area to have glazing removed and reconfigured as a double height water feature. The applicant considers this to have merit in terms of visual interest (including at night through illumination) as well as a sensory element counteracting traffic noise from outside the site as well as linking to soft landscaping in celebrating water as one of the main elements of beer. In the context of the proposal I do not consider that this design evolution is sufficiently material to warrant public and statutory re-consultation.

Materials

29. The external materials are chosen to complement the architectural style. Black corrugated metal sheeting is proposed to create a striking appearance and create the impression of curiosity for the 'Curious Brew' created at the site. Black metal louvres/lattice work is proposed as a complementary secondary cladding projection over the external staircase to the first floor restaurant and beyond the first floor glazing to that facility. Other key materials including a heavily glazed frontage to Victoria Road with metal cladding panels and fascia and metal colonnade posts supporting the over-sailing roof/ Hops growing vertically up a specifically designed cable system along the colonnaded frontage are identified.

The external forecourt and boundary treatment

30. As deposited, the proposal provided for a hard and soft landscaped external forecourt entrance with a series of vertical luminaries designed to mimic 'hop poles' and seating. The external boundary to this entrance was identified as being a solid Corten (pre-weathered in appearance) Steel (or similar) solid boundary with the brewer's name potentially inset or projecting from the solid wall.
31. The actual entrance point for pedestrians into the entrance forecourt / external seating area was proposed to be from Victoria Way further around the corner. This would contain a subtle ramp to meet the needs of people with disabilities. The proposal sought to build on comments received from the Design Panel about the set-back brewery enabling a forecourt external space that could be innovatively hard and soft landscaped to reference the brewing use celebrate the green and blue elements of the River Stour corridor located further to the south and, at the same time, be a space that would have an element of being 'discovered' (thus building upon the brewer's name/ethos). The image below shows the original proposal with the point of access annotated.



32. The applicant has since reconsidered the proposals and submitted amended plans. The Corten steel boundary has been replaced with a boundary that is considered to work better and more dramatically with the dark elevations of the brewery and allow a reconfigured forecourt to visually soften the edge of the brewery to the public realm beyond through soft landscaping. A series of stout timber black stained posts are proposed to be supplemented by a stronger belt of soft landscaping planted to the rear that is intended to reference the brewing process through use of barley etc.
33. The applicant's intention is that as the planting matures it would grow between posts and create a visually softer boundary to the street corner whilst still allowing views from the street towards the entrance to the retail shop and access to first floor bar and restaurant. Posts near to the beginning of the entrance would be freestanding and spaced slightly more widely to help signify the beginning of the entrance whilst other posts forming the boundary beyond the entrance point would be more closely spaced. The location of the

pedestrian entrance point from Victoria Road would be slightly closer to the street corner than before. The extract from a CGI image below shows the revised timber post proposals for this corner.

34. The areas for sitting out within the external forecourt would be kept closest to the building and because of the changes in street levels rising northwards to the Beaver Road bridge would put people sitting at benches at a lower level to the public realm beyond the site. Gabion walls would be used to help reconcile changing levels.
35. A sliding gate to the vehicular entrance is now proposed, the fine detail of which the applicant wishes to be the subject of a planning condition. This new access has been clarified as to be carried out in matching materials to the existing crossover further to the west along Victoria Road when the public realm works were carried out. It is confirmed that the sub-station lay-by would be carried out in accordance with that high quality materials palette.
36. Lastly, the area of external forecourt has been physically reduced in extent. The image below shows the extent of forecourt as originally proposed alongside the amended plan. The resultant privately owned space to the south of the forecourt is intended to be paved to match the upgraded paving at Victoria Road. Unless, agreement is reached with the highway authority to adopt this additional area of public realm footway, long term maintenance would rest with the owner.
37. The nature of the changes made to the boundary treatment and the detailing of the brewery forecourt is such that, in the context of the site, there is no requirement for further public consultation on the proposals.

The car park landscaping and boundary treatment and the substation

38. The substation forms both part of this application as well as the application involving the superstore reported elsewhere on this agenda. The substation is required to be on the frontage and cannot be located elsewhere. It requires a small layby facility requiring the removal of two existing street trees.
39. The intention is to integrate – as far as possible - the substation with the Victoria Road boundary fence to the brewery and the superstore car park in order to create a visually coherent high quality street boundary for both sites.
40. As originally deposited, the application identified the use of a ‘hit and miss’ Corten steel boundary fence together with soft landscaping along the Victoria Road frontage through to the substation and then further to the west as the boundary to the superstore customer car park. Due to excessive cost, this has subsequently been amended to a series of stout black metal posts and mesh fence complemented by soft shrub and hedge planting. Mesh would be

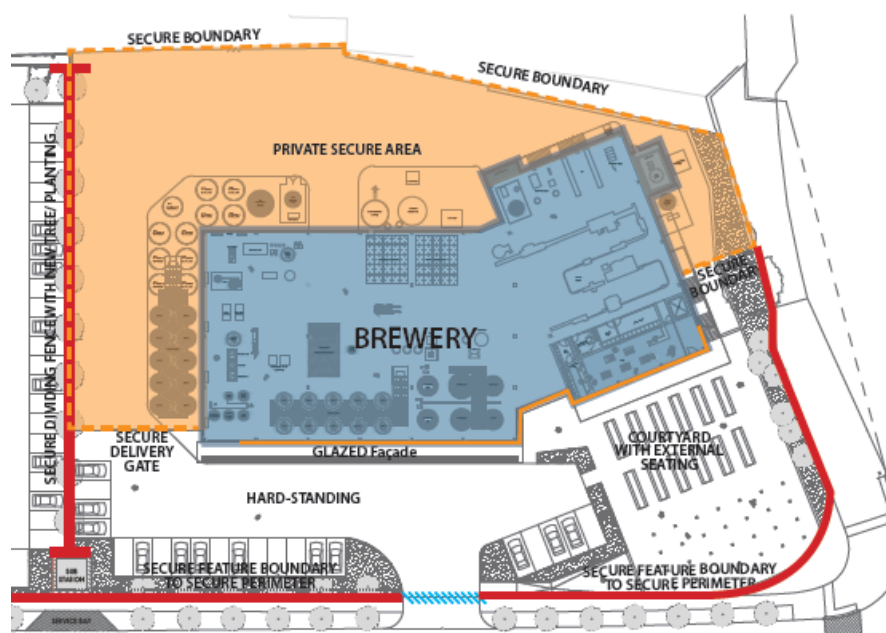
applied to the inward face of these posts in order to emphasise the stout nature of the posts to the street frontage rather than the mesh. Similar to the entrance forecourt, the intention is for a hedge and soft landscaping to soften and grow through the boundary as it matures. The CGI below shows the intended approach.

Parking (staff and customers) and shuttle bus to Tenterden

41. A 21 space on-site car park is proposed.
42. Parking for staff is identified as being available on the warehouse plot further to the west along Victoria Road that Chapel Down currently lease. This is identified as assisting in reducing staff use of the proposed on-site car park.
43. The Design & Access Statement identifies the proximity to the railway stations will provide customers with a car free alternative. The Statement also identifies that a shuttle bus is proposed to take visitors to Chapel Down's winery in Tenterden from the brewery.

The secure delivery yard and location of external tanks

44. The delivery area is required to be secure. This area would be accessed from a secure delivery gate north of the 21 space on-site car park. The area has been sized so as to allow a delivery sized vehicle to comfortably turn at the rear of the premises and leave the site in forward gear. The image below shows the secure area with boundaries to the foodstore plot, the railway lines and the Beaver Road bridge.



45. Within the private areas on the building's western and northern sides, a number of 8m high external fermentation vessels are proposed with room for future expansion as necessary.

Hours of opening to the public

46. The applicant has confirmed the following anticipated hours;-
- (i) 09:00-23:00 (Monday - Thursday and Sunday)
 - (ii) 09:00-24:00 (Friday and Saturday)

Hours of operation

47. The applicant has confirmed the following anticipated hours;-
- (i) Brewing – 24 hours a day
 - (ii) Packaging – up to x2 eight hour shifts per day

The relationship of the proposals with the closed subway under Beaver Road bridge

48. The sub-way under the Beaver Road bridge was created at a time when the future planning of the site envisaged market interest for a hotel on the northern site whereon the brewery is now proposed with the idea being that passengers from the International Railway Station would pass seamlessly under Beaver Road Bridge into the forecourt of a hotel rather than have to cross the (then roundabout) street junction at grade.
49. In the event, the junction has since been upgraded, signalised and provided with a pedestrian crossing at grade. In the absence of market interest in taking forward a hotel on the northern side of Victoria Road with a traffic-free pedestrian linkage to the railway stations, the sub-way was sealed-up with block-work walls at both ends under a licence arrangement agreed with KCC (under whose highway the sub-way passes). The Bridge, over which the highway passes, is an asset belonging to the rail authorities.
50. The sub-way would serve no practical purpose for the proposed brewery. Its western-side has an overgrown ramp to reconcile the minor changes in land levels between the sub-way and the application site. This ramp would now be within the proposed private secure area to the rear of the brewery. No part of the actual brewery building would interfere with the ramp. A simple retaining wall is therefore proposed by the applicant distant from the ramp to ensure that its integrity (and, importantly, that of the sealed-up underpass at the end of the ramp) would not be affected by the proposed ground and construction works associated with the brewery site.

Proposal 2: Southern side of Victoria Road - the 16 market sale residential units over three small ground floor commercial units fronting Victoria Road and 200 'Built to Rent' units further to the south together with associated parking, substation, landscaping and access works

The Victoria Road frontage building (residential over commercial units): layout, scale, massing, architectural style, appearance, refuse storage/collection

51. At ground floor level, three small commercial units a total of 209sq.m are proposed. The anticipated uses would be Class A1 retail / Class A2 financial and professional services and Class B1a offices. Two of the units would be provided with a separate rear store/office space accessed via a pedestrian door on the southern side.
52. On the northern side, each of the commercial units would have a full height glazed frontage to Victoria Road with the western-most unit having an additional glazed return to George Street. On the eastern side of the block, four car parking spaces serving the commercial units are proposed in an undercroft below first floor residential accommodation. Access to the upper residential floors would be via two circulation cores each containing stairs and a lift. Each core would be accessible both from the Victoria Way frontage and from the southern side.
53. The four upper residential floors would have an identical layout comprising x 2 2-bed flats served by each circulation core. Each flat would be dual aspect with a mixture of Juliet style and projecting balconies on the Victoria Road frontage and George Street return and a recessed balcony on the southern elevation. The image below shows this arrangement.



First - Fourth Floor Plans (Residential)
(n.t.s)



54. The scale of the block would be as follows;-
- (a) 16.5m high,
 - (b) 14m deep, and
 - (c) 34m width to Victoria Road
55. The proposed layout would place the building close to Victoria Road and includes on the building's northern side the provision of linear tree planting (to mirror the planting approach established on the northern side of Victoria Road) in a bound material to be agreed with Kent Highways and a combined minimum 3m width cycleway/footway. This approach continues westwards along the frontage of the hotel application subject of application 16/01164/AS to the street junction.
56. The building would finish on its western side 6m distant from the proposed hotel. This gap would provide for a slow speed manoeuvring space for a small number of cars in parking undercrofts and the applicant has confirmed the use of bollards to prevent any attempted vehicular access from Victoria Road. The applicant's landscape master plan also suggests a public art feature on the street frontage produced by this gap. As importantly, the gap also serves as a direct pedestrian route through from Victoria Road to the main entrance into the 'Build to Rent' block 'super-lounge' which is dealt with further below.
57. The Victoria Road building plan form would be rectangular and would have a consistent massing rising vertically as a rectangular 5-storey block. The applicant cites this as a key design principle helping produce a strong frontage to Victoria Road that would help define its character as an important boulevard-style urban street. Additionally, the height is suggested as mirroring

that proposed for the proposed hotel located to the west and working well with the height of the 'Build to Rent' block proposed further to the south.

58. The proposed architectural style would be modern. The appearance of the building is proposed to be similar to that proposed for the 'Build to Rent' building in order to visually link the two buildings. Materials would include yellow bricks, recessed metal panelling, full height glazing, steel balconies and use of mesh screening over the glazed 'curtain walls' the to the rising circulation cores. Rainwater goods are proposed in minor recessed channels and the applicant has clarified that these would continue through the interior of the ground floor commercial units. The building would have a small parapet roof, helping visually shield lift over runs.
59. Since the application was deposited, the applicant has carried out further refinements to the architecture and as a result amended plans have been submitted that evolve the detailing of the building further. The Victoria Road frontage is shown below. Members' should note that in the specific context of this scheme none of the changes made in my opinion represent a significant departure from that subject of application consultation and so no further consultation has been necessary.
60. Along with an integral secure 23 space cycle store, a shared commercial and residents' refuse store would be provided on the southern side of the building at ground floor level. Plans identify a refuse sized vehicle stopping to empty bins from within the proposed car park shared with the proposed hotel. The applicant has submitted amended plans that show the resident's parking spaces in a different coloured material from those that would serve the proposed hotel, thus helping legibility.

The Build to Rent building: layout including the (residents' only) 'super-lounge' and associated facilities, the (residents' only) podium communal open space and the additions to public open space near the riverside

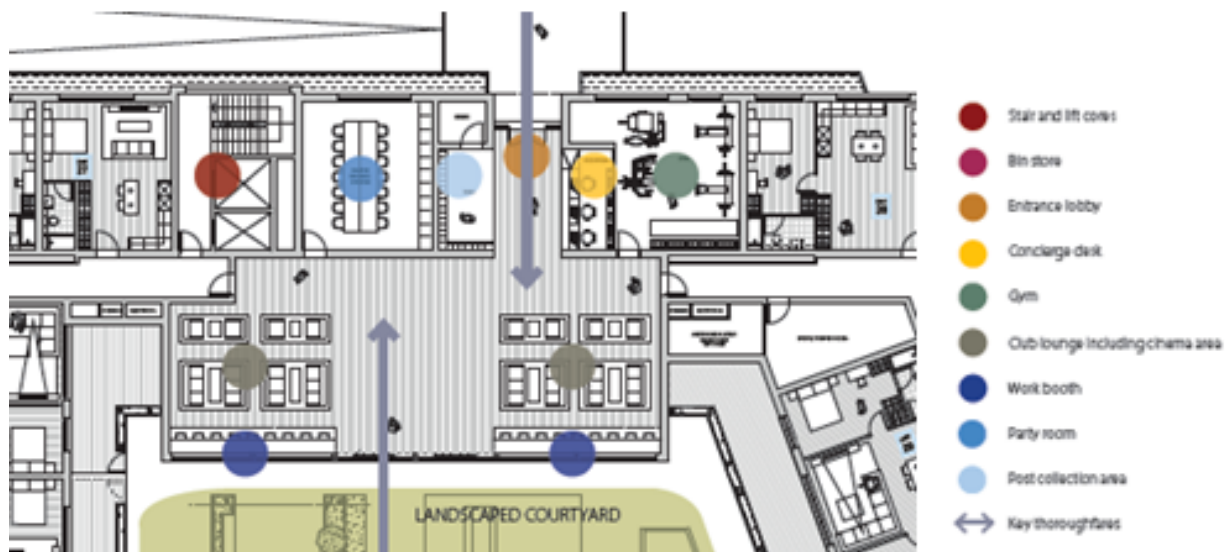
61. The building layout seeks to work with the fall in land levels southwards from Victoria Road towards the Great Stour river corridor both in terms of access to 153 lower ground floor undercroft parking spaces and a resultant podium level communal secure residents' only landscaped courtyard amenity space with steps down to the river corridor and residential frontage at riverside bank level.
62. The lower ground floor would be accessed from the southern end of George Street. The facility would provide;-
- (i) 153 car parking spaces,
 - (ii) access to designated spaces for any residents with disabilities,

- (iii) three resident only rising circulation cores (each containing stairs and a lift),
- (iv) a large secure cycle storage facility, and
- (v) access to front entrance doors to x 12 riverside apartments.

63. The ground floor riverside apartments would be single aspect homes with glazing and private amenity terraces taking advantage of the favourable south facing aspect and the riverside greenery prospect as the CGI image below from the application as originally deposited depicts.



64. The eastern area of the lower ground floor car park would be located under a ground floor level parking street between the proposed building and the petrol filling station on Beaver Road.
65. Amended plans have been submitted to deal with comments that Kent Highways & Transportation raised. The entrance from George Street would now have a secure entrance barrier/gate arrangement (the fine detail of which the applicant proposes is dealt with by planning conditions) and minor adjustments have been made internally to produce a continuous circulation loop (rather than some dead-end aisles) and ensure spaces near the entrance barrier can be easily accessed.
66. The ground floor layout provides for a building footprint slightly recessed from the lower ground floor footprint. This step-back allows for natural ventilation from the lower ground floor car park with the small space provided with grilles.
67. There are two principle components to the ground floor layout.
68. First, a residents' only communal facility that the applicant terms a 'super-lounge'. This would be located centrally at the northern head of the external landscaped communal space. On its northern side, it would be the main pedestrian entrance into the block from Victoria Road as the image below illustrates.

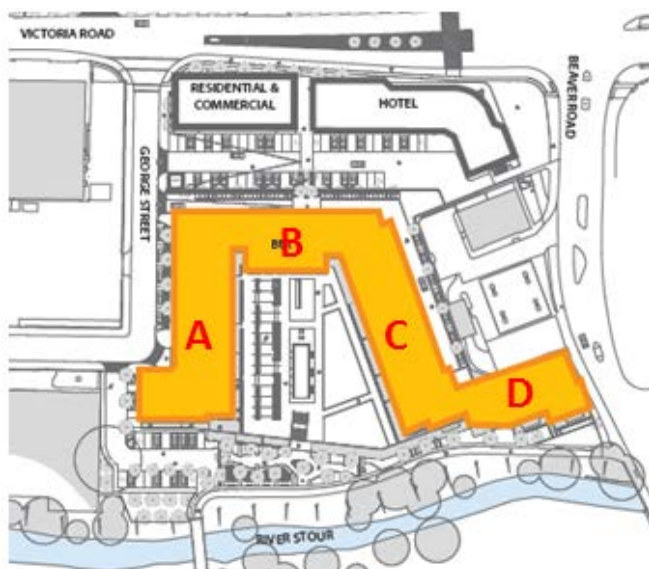


69. The applicant's proposals depict a wide entrance path, running from Victoria Road through the proposed gap between the Victoria Road frontage block of flats and the proposed hotel, to this entrance. Tree and soft landscaping is proposed as part of the treatment to this route.
70. The super-lounge is identified as hosting a range of residents' only facilities including a concierge, parcel storage and post collection area, dinner party room, lounge, work booth and gym. This social space is identified in the Design & Access Statements as being a key internal element of the scheme enabling residents' to socialise, work and relax outside of their own private space (and associated private amenity space).
71. The southern side of the super-lounge would have a strongly glazed connection with the external residents' only podium space beyond. This would take the form of a landscaped courtyard with grassed lawns, patio gardens with seating, lighting, planters, tree and shrub planting together with channels acting as subtle SUDs features helping manage surface water run-off. A number of flats (1 and 2-bed homes) would front onto this space at ground floor level and would be provided with external private amenity terraces. The ground floor layout is shown further below.
72. A balustrade would be provided at the southern edge of this podium space together with a flight of steps to reconcile the podium level with riverside corridor level. The applicant has confirmed that secure residents' only gates would be provided at the bottom of the steps to secure the space and to prevent anti-social behaviour involving the steps bearing in mind the proximity to the riverside apartments.



The 'Build to Rent' building: scale, massing, architectural style, appearance, boundaries and refuse storage/collection

73. The building would be a total of 7-storeys in height (including the lower ground floor car park and riverside apartments). The seventh storey occupies only the northern part of the floor with the remainder set out as green roof. The seventh storey would be set-back from the edge behind a parapet wall to help soften the top of the building. Each of the seventh storey apartments would have a private amenity terrace.
74. The building comprises four 'wings': the first three around the landscaped podium space in a perimeter block arrangement and the last one filling the space between the southern side of the petrol filling station and the riverside through which the existing footway/cycleway would run. The majority of apartments arranged in these wings would be single aspect with a central corridor connecting entrances to circulation cores. These are shown in the annotated image below.



75. The dimensions of the 4 wings would be as follows;-
- (i) 'Wing A' – c.7-8m in width and c.42m in length (towards George St)
 - (ii) 'Wing B' – c.8m in width and c.56m in length (towards Victoria Road)
 - (iii) 'Wing C' – c.8m in width and c.44m in length (towards petrol station)
 - (iv) 'Wing D' – c. max 8m in width and 56m in length (towards River Stour)
76. The (sloping to the south) George Street frontage is shown below. The total height of the building at the northern end would be c.20.5m above the street and the 19.5m at the southern end.
77. In a similar fashion to the Victoria Road frontage, the rectangular plan form of the wings informs the massing of the proposed building. The proposal has a consistent massing approach to the 6th storey with the top 7th storey set-back from the edge and covering only part of the building.
78. The architectural style would be modern, following the approach taken for the Victoria Road frontage building. Materials would include yellow bricks, the use of vertical timber cladding for the lower ground floor level adding contrast to brickwork and helping soften the base of the building, glazing, composite panelling at 7th storey level to create a contrast with the approach to the floor below, glazing and balconies.
79. Since the scheme was deposited, the applicant has further refined some elements of the facades, partly as scheme evolution and partly to address officer feedback in terms of design opportunities. Amended plans have been submitted. These propose that the 'super-lounge area' (and the flats stacked above it) is accentuated by use of a contrasting brick colour with balconies with planter boxes helping break up the massing of the building. The applicant also proposes that the projecting balcony balustrades use colours that would progressively change southwards towards the river corridor (oranges, yellows and reds). At the end south-western corner, the applicant now proposes climbing plants on tension wires to help further soften the vertical timber cladding that would wrap around a small external parking court. The 7th storey would have a black cladding helping to differentiate its more angular form from the floors below and the private terraces have been enlarged to make the most of favourable aspect. The images below show these amendments. Members' should again note that in the specific context of this scheme none of the changes made to this building in my opinion represent a significant departure from that subject of application consultation and so no further consultation has been necessary.



80. Refuse collection would be from three directions.
81. Firstly, along the access street from George Street, a linear refuse bin store with slatted timber roof and timber doors and boundary hedge to the rear (with the hotel car park) would provide a facility that would be accessible by residents from the main super-lounge entrance (and the circulation core containing a lift and stairs). Tracking plots for a refuse size vehicle show that this would collect these bins moving eastwards to a turning area, turn and then leave the site by the same George Street access point. The ramp gradient from George Street would be 1:21 and slight terracing would be installed within the linear store in order to prevent bins from moving.
82. Second, amended plans received now show the George Street wing having a lower ground floor refuse bin store with double opening doors toward the highway at its southern end adjacent to the proposed plant room. This refuse store would be accessible by residents via the circulation core (containing a lift and stairs).
83. Third, the south-eastern wing with frontage to Beaver Road would contain in that frontage a ground floor level refuse bin store with double opening doors

to the highway. The applicant is aware that a dropped kerb would need to be provided to enable bins to be moved to a collection vehicle waiting on the highway.

84. The applicant identifies that a refuse management strategy would be put in place by the Build to Rent operators.

Overall residential mix & density, the applicant's proposed obligations in respect of the 'Build to Rent' element, space standards and the approach to those with wheelchair needs

85. The Victoria Road frontage would have the following accommodation mix;-

(a) x 16 2-bed apartments (100%)

86. The applicant has confirmed that whilst these flats are identified as being for market sale, should the 'Build to Rent' fund wish to incorporate them on that basis then that would not be ruled out.

87. The specifically identified 'Build to Rent' proposal south of the Victoria Road frontage block of 16 flats would have the following mix of accommodation;-

(a) x 42 studio apartments (21%)

(b) x 58 1-bed apartments (29%)

(c) x 100 2-bed apartments (50%)

200 (100%)

88. When combined, the two separate blocks gives the following overall approach to accommodation;-

(a) x 42 studio apartments (19%)

(b) x 58 1-bed apartments (27%)

(c) x 116 2-bed apartments (54%)

216 (100%)

89. The applicant does not propose that any of the apartments are affordable housing within the definition of Council planning policies and national planning policies. The applicant's supporting documents set out the rationale for this proposition in further detail. See the supporting documents summary further below.

90. The applicant identifies that the residential units have been designed to meet the Nationally Described Space Standards (and the Council's now superseded Residential Space and Layout Standards in the adopted SPD). Apartments have external terraces and balconies as well as access to a large

residents' only communal space. A number of homes are identified as being compliant with the majority of Lifetime Homes criteria. In respect of scheme occupants with wheelchair needs, the application as deposited did not identify any specific proposals in this respect. Following discussions with the applicant, whilst the proposals do not include specific units for wheelchair users, five of the units have been identified as being capable of adaptation to meet wheelchair user requirements. The intention is that these would be provided as and when letting enquires from disabled users come forward thereby allowing flexible provision to meet the needs of disabled users.

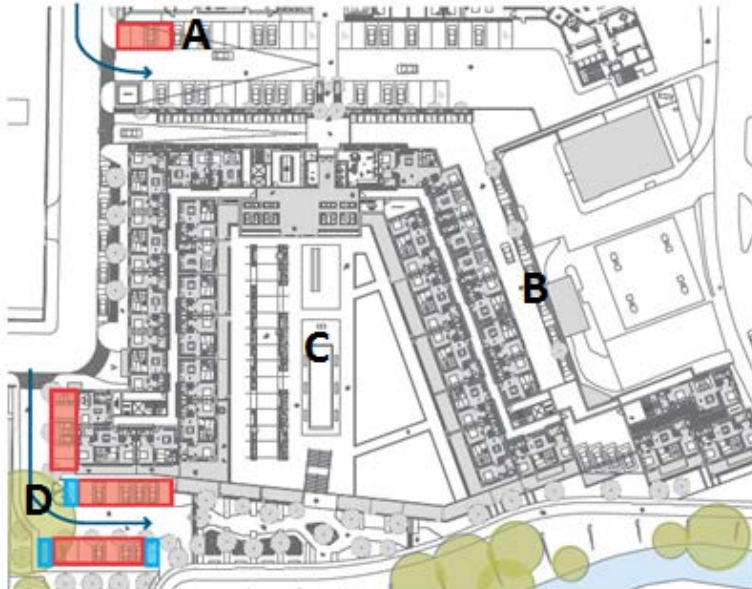
Proposed alterations to George Street

91. As deposited, the proposal identified the creation of 5 on-street parking bays clear of the carriageway on the eastern side of the street. These would be softened by a linear tree and shrub planting and SUDs channel scheme. A pedestrian footway is proposed as part of a new footway connection to Victoria Road. The footway and parking spaces are proposed to be offered for adoption by the highway authority.
92. Following concerns expressed by Kent Highways & Transportation about the implications on adoption of possible specific allocation of the spaces to scheme residents and balconies over-sailing the proposed alignment of new footway, the applicant has clarified that allocation is not intended and submitted amended plans swapping the alignment of the footway with the shrub belt so that the proposed highway would not be over-sailed. These changes are minor in the specific context of this scheme and, as such, apart from consideration by Kent Highways did not require any public re-consultation.

Car parking for the commercial units and residents (market sale and 'Build to Rent' apartments) including access thereto

93. The plans propose that the Victoria Road frontage x3 small commercial units would be provided with 4 allocated parking spaces in an undercroft on the eastern side of the ground floor to building within which they would be contained.
94. Parking for residents of the market sale and 'Build to Rent' apartments would involve 196 parking spaces parking giving a ratio of 0.91 spaces per apartment. In support of this approach the applicant suggests that this quantum would comply with the approach Council's adopted Residential Parking and Design Guidance 2010 and is considered acceptable as occupiers of Build to Rent apartments are anticipated to own fewer cars

95. The 196 spaces would be located in four different areas. These are annotated in the image below.



96. First, to the south of the Victoria Road frontage block, the surface car park would include x 4 parking spaces for residents with the remainder of the car park forming serving the proposed hotel. This area is marked 'A'.

97. Second, the access street to the main ('super-lounge') entrance would continue in a southerly direction around the ground floor building. Along the eastern side of this street a number of parking bays would be provided, culminating in three parking spaces located above one of the lower ground floor level riverside apartments. This area is marked 'B'.

Third, a large parking area as a lower ground floor undercroft (underneath the landscaped podium) accessed with a barrier /gate controlled entrance/exit from the southern end of George Street. This area is marked 'C'. The entrance would be at a gradient of 1:10. Amended plans have been submitted to address KH&T concerns about circulation and the applicant has confirmed that access to the facility would be made secure through a personnel gate and a sliding vehicle gate.

Fourth, a riverside surface parking court accessed from the southern end of George Street. Page 51 of the applicant's Design & Access Statement confirms the design intention is for cyclists passing over the bridge over the River Stour to then be able to pass through this court and connect with George Street and thus Victoria Road further to the north. This area is marked 'D'.

The area around a proposed sub-station on the George Street frontage

98. As deposited, the plans show a sub-station between the Victoria Road frontage block and the 'Build to Rent' block further to the south on the George Street frontage. Amended plans have been submitted to help give space for a greater amount of landscaping on this frontage helping to shield parked vehicles and provide screening of the proposed substation. Details of the screen landscaping and substation are requested by the applicant to form the basis of a planning condition.

Proposed soft landscaping, the riverside corridor and impact of the proposal on existing trees

99. The boundary between the access street to the main ('super-lounge') entrance and the hotel car park further to the north is proposed to have a linear planting and hedge boundary arrangement.
100. Linear tree planting is proposed along the eastern side of George Street alongside new un-allocated parking spaces.
101. The area between the private amenity terraces serving lower ground floor apartments and the existing footway/cycleway is proposed to be soft landscaped including additional tree planting to bolster that closer to the Great Stour River. The applicant's intention is for this area to be publically accessible space. At its western side, this linear space would contain a small area of swale as part of the proposed SUDs scheme. The image below shows this linear space.
102. Further to the west is the surface parking court. The landscaping proposals include soft landscaping, linear tree planting within the parking court, tree planting between the parking court and the riverbank and the removal of a mature Beech Tree subject of Tree Preservation Order.

Application Supporting Documents

103. The applicant has submitted a comprehensive suite of supporting documents for applications;-
- (i) 16/01157/AS (the brewery, commercial units and residential) – described the applicant as 'Application A',
 - (ii) 16/01164/AS (the hotel) – described the applicant as 'Application B' and,
 - (iii) 16/01167/AS (the superstore) – described by the applicant as 'Application C'.

104. Many of these reports are common to each of the applications. This 'combined' approach is taken forward in the majority of the brief summaries below with any issues specifically informing the approach to application 16/01157/AS then identified. Where a report is completely specific to the current application, this is also identified at the start of a paragraph.

Arboriculture Impact Assessment (combined report)

- AIA1. Specific – Tree cover within the site (as opposed to within Victoria Road), involves 15 low quality (Category C) self set trees in derelict ground. These are considered to be unremarkable examples of their type typically with compromised structure, signs of stress, trees of indifferent structural and physiological appearance and of limited transient amenity value and thus are considered to be able to be readily replaced without significant individual impact on the amenity of the area.
- AIA2. Specific – Four Chanticleer Pear trees (T28-T30 in the survey) planted on the northern side of Victoria Road would be required to be removed as a result of the substation layout and the access into the customer car park.
- AIA3. General - The AIA states that by design, the proposals accommodate the (riverside) southern boundary tree cover, which is considered important for integrating application A's proposals within the wider setting. This is considered practicable subject to future detailed design reflecting the need for temporary protection and mitigation for permanent development in close proximity to retained trees during construction.
- AIA4. General - The AIA concludes that subject to appropriate mitigation planting, the proposals put forward within application A, B and C, allow for technical confidence in the long-term viability of retained and appropriate tree cover and would not result in harm to the wider treescape, particularly those along the southern boundary within application A. The principles of the proposed developments are therefore considered appropriate from an perspective. The adoption of appropriate mitigation planting proposals, arboricultural input during detailed design, and the adoption of future safeguards for protecting trees are all highlighted as being necessary.

Air Quality Assessment (combined report)

- AQA1. General - The Air Quality Assessment report states that the sites are not situated within an Air Quality Management Area (AQMA) and background concentrations of NO₂ and PM₁₀ are anticipated to be well below the respective national Air Quality Objectives (AQO). The report also states that transport emissions are expected to be the main source of air pollution in the vicinity of the sites.

- AQA2. General - The report states that during the construction phase the proposed development is classed as being 'medium risk' in terms of dust impacts if construction works are progressed on all sites concurrently. The AQA concludes that dust minimising measures during construction should be implemented as detailed in the report.
- AQA3. General - The report identifies that during the operational phase the effect of traffic emissions resulting from the schemes have been judged as 'not significant'.
- AQA4. Specific – Combined Heat and Power Plant technology would be introduced as part of Applications A and C. This has the potential to increase concentrations of NO₂ but as predicated concentrations in operation would be below the ACQ it is considered unlikely that CHP emissions would result in significant impacts at existing or future receptors.
- AQA5. Specific - The report also states that dispersion modelling of CHP emissions may be required depending on size of the proposed plant to ensure no significant impacts at existing or newly introduced receptors.

Archaeological Assessment (combined report)

- AA1. General - The AA states that there are no designated heritage assets such as World Heritage sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites that have been identified within the study site or its immediate vicinity. In terms of local designations the site does not lie within an identified area of archaeological potential.
- AA2. General - The report asserts that the site can be considered likely to have a modest potential for the Roman and Post Medieval/Modern periods. Past post-depositional impacts at the study site are considered likely to have been severe as a result of previous development and demolition.
- AA3. General - The report concludes that on the basis of the available information it is anticipated that a requirement for the implementation of a trial trench evaluation exercise will be required for each application site with this secured by a planning condition.

Ecological Appraisal (combined report)

- EA1. General - The EA states that an area adjacent to the south of Site A is subject to statutory designation as part of Ashford Green Corridors LNR, whilst the Great Stour river adjacent to this southern boundary forms part of the non-statutory Great Stour Ashford to Fordwich Local Wildlife Site designation

- EA2. General - The Ecological Appraisal report states that the application sites were surveyed in February 2016 (with update work undertaken in July 2016) based around extended Phase 1 methodology as recommended by Natural England. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species. Further survey work is recommended for reptiles and invertebrates across all sites, whilst surveys for bats, Water Vole and Otter are specifically recommended in respect of site A.
- EA3. General - The EA states that the sites support a mosaic of habitats including sparse vegetation, tall herb, scrub, trees and hardstanding. These habitats support only common and widespread species.
- EA4. General - The EA also states that Site A offers some potential opportunities for protected and notable faunal species namely bats, Water Vole and Otter, whilst all three sites support potential opportunities for reptiles and invertebrates. As such, it is recommended that further survey work is undertaken to provide an assessment of these species groups. Common mammal and bird species are also likely to make some use of all three sites. As such, the report sets out recommendations for mitigation measures for faunal species to ensure they are safeguarded under the proposals.
- EA5. General - The EA concludes that the proposals seek to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensatory measures, it is considered unlikely that the proposals individually (or cumulatively) would result in significant harm to biodiversity.
- EA6. Specific – The EA identifies that part of sites A and C are considered to support the priority habitat ‘Open Mosaic Habitat’, considered to be of low-moderate ecological value at the local level. Site C includes a 0.23 ha area of this type of habitat. Although both limited in extent and considered to be of relatively low interest, the EA makes a number of recommendations:-
- (i) tree and shrub planting for Site C should involve species chosen for their wildlife value and include nectar or pollen rich or fruiting varieties that would help provide a diverse food source and shelter for a range of wildlife, and,
 - (ii) detailed design work for Site C should be informed by the results of any further invertebrate survey work and incorporate any specific habitat features for interest species.

Desk Top Study Environmental / Contamination (specific)

- E&C1. Specific - The report states that in light of the information derived from this desk study it is considered that an intrusive investigation should be undertaken and that soil and ground water contamination testing is required on this site. This investigation should be concluded prior to detailed design.

- E&C2. Specific – The report states that a sampling strategy, based on BS 10175, Para 7.6.2.5, should include sampling points randomly positioned within a suitable grid. If groundwater is encountered at shallow depths then water samples should be taken for chemical analysis.
- E&C3. Specific – Once findings of intrusive ground investigation are made available, the report details the need for a site remediation strategy involving the following measures;-
- (i) Contamination sampling to determine extent of any identified hot spots
 - (ii) Removal of remaining buildings and site wide vegetation scrape with all material removed from the site
 - (iii) Decontamination where necessary as a result of investigations
 - (iv) If perched ground water is found, remedy the water by removing contaminants using specialist on-site receptors with all residual contaminated water tinkered off-site
 - (v) Capping of the site by the import of clean granular material
- E&C4. Specific - The report concludes that the proposed development would provide large areas of impermeable surfaces and cover of the existing site, it is envisaged that all end users of the completed scheme would be at a low risk from any residual contamination.

Economic Benefits Assessment (combined report)

- EBA1. The Economic Benefits Assessment summarises the economic and fiscal effects generated by the proposed mixed-use developments at Victoria Road in the table below, with the estimated economic and fiscal impacts of the developments associated with each application also summarised. Application A – the application subject of this report - is highlighted in red.

| Economic and Fiscal Effect | Planning Application | | | Total |
|--|----------------------|----------|----------|----------|
| | A | B | C | |
| CONSTRUCTION EFFECTS | | | | |
| Construction Cost | £45.0m | £8.0m | £2.0m | £55.0m |
| Construction Period (years) | 1.5 | 0.5 | 0.5 | 2.5 |
| Person-Years of Construction Work | 500 | 90 | 20 | 610 |
| Temporary Construction Jobs (p.a.) | 335 | 180 | 45 | 245 |
| Indirect & Induced Jobs (p.a.) | 505 | 270 | 65 | 370 |
| Total Direct & Indirect GVA (p.a.) | £8.6m | £1.5m | £0.4m | £10.6m |
| OPERATIONAL EFFECTS | | | | |
| Total Direct Jobs | 40 | 60 | 60 | 160 |
| FTE Direct Jobs | 35 | 40 | 35 | 110 |
| Direct GVA (p.a.) | £2.4m | £1.0m | £1.5m | £5.0m |
| Indirect & Induced FTE Jobs (regionally) | 15 | 20 | 15 | 50 |
| RESIDENT EXPENDITURE EFFECTS | | | | |
| 'First Occupation' Expenditure | £688,000 | - | - | £688,000 |
| Total Gross Resident Expenditure (p.a.) | £6.9m | - | - | £6.9m |
| Net Additional Resident Expenditure (p.a.) | £3.9m | - | - | £3.9m |
| FTE Indirect Jobs Supported | 40 | - | - | 40 |
| FISCAL IMPLICATIONS | | | | |
| New Homes Bonus Payments (set 6 years) | £1.9m | - | - | £1.9m |
| Council Tax Receipts (p.a.) | £316,800 | - | - | £316,800 |
| Business Rates Payable (p.a.) | £89,500 | £112,000 | £164,100 | £365,600 |

ES1. The EBA also states that the proposed development scheme at Victoria Road would benefit the local area in Ashford town in a variety of other ways that would enhance the socio-economic profile and prosperity of the community.

Some of the key benefits of the proposed developments in wider socio-economic terms include the following:-

- (i) Improve the residential environment in Ashford town by delivering a high quality mixed-use development scheme that would include 216 new residential units, which would increase local housing supply in the area and support a higher share of the local housing requirements in the locality,
- (ii) Deliver a large component of the scheme as Build to Rent units, which would help to meet a gap in the local housing market in Ashford and Ashford town where only a limited share of private rental housing is currently offered to meet the needs of a growing group that either prefer the benefits of private renting or simply cannot afford home-ownership,
- (iii) Support a mix of household types that would contribute to a more diverse community within the local area including accommodating a higher share of younger professionals and upper tier workers in Ashford town who – it can be

assumed – would improve the overall socio-economic profile of the local community,

(iv) Support the local business community in Ashford town by generating increased levels of resident expenditure in the local economy as well as accommodating a range of new commercial uses as part of the mixed-use scheme that would boost the image of the area as a business location,

(v) Activate improvement to the public realm surrounding the proposed sites in the wider Ashford town centre area, which would boost the local area as a mixed-use environment, and potentially act as an important catalyst for further private sector investment and regeneration in Ashford town,

(vi) Support the vitality and viability of Ashford town centre by delivering new retail uses in the area, as well as delivering a new brewery attraction and a new 120 bedroom hotel, which would contribute to the visitor economy in the Borough, and

(vii) Contribute to critical mass in the local area that would support the delivery of new social and community infrastructure provision (i.e. through planning contributions), which would help to increase community cohesion and quality of life in the local area.

Energy Strategy Report (combined)

ES2. General - The report provides a cumulative assessment that addresses the energy consumption and associated carbon emissions and offset payments required of all three applications.

ES3. General - The report states that the table below concludes the predicted CO2 savings for each Plot and highlights the total development impact.

| Plot | Estimated annual energy consumption (kWh/year) | Estimated annual CO ² emissions (tCO ²) | % Reduction from baseline | Carbon offset cost |
|----------------------|--|--|---------------------------|--------------------|
| Plot 1 – Brewery | 116,598.76 | 33.04 | 23.62 | £10,575.80 |
| Plot 2 – Residential | 745,347.91 | 219.97 | 37.22 | £82,931.15 |
| Plot 2 – Commercial | 5037.23 | 5.04 | 45.70 | £ 1,900.14 |
| Plot 3 -Hotel | 296,630.8 | 153.36 | 22.38 | £57,818.44 |
| Plot 4 – Aldi | 51,971.1 | 26.87 | 28.67 | £ 10,130.29 |
| Total Site | 1,212,563.90 | 434.73 | 177.95 | £162,017.53 |

- ES4. General - The report states that each of the applications will detail the fabric design measures and building services that are proposed to meet the results set out at ES2 above.
- ES5. General - The report concludes that that each proposed development would exceed Ashford's carbon dioxide emission targets through the use of on-site low zero carbon technologies. Surplus CO2 to achieve zero carbon is to be captured through Ashford's Carbon off-setting scheme as no other renewable solution is deemed feasible.
- ES6. Specific – Although the most theoretically feasible option, off-setting the remaining CO2 identified in ES2 above via renewables is not considered to be a viable/practicable option as it would require a significant amount of open roof space. Therefore, the suggested approach is a carbon off-setting payment.

External Lighting Report (combined)

- EL1. General – A combination of energy efficient luminaires with control equipment will be used to ensure lighting is appropriate but upward lighting will be minimised reducing light pollution, energy consumption and nuisance to residents. Each scheme would be developed to comply with the Council's Dark Skies' SPD.
- EL2. General - The report provides a cumulative assessment that addresses the external lighting levels achieved for all three applications. The report then goes on to state the average LUX for each plot. It is stated that each plot would be compliant with the relevant recommendations, ensuring the lighting design does not have adverse effects on the residential areas and river corridor.
- EL3. Specific – external light fittings would be controlled through a time switch/daylight sensor to prevent unnecessary operation in daylight hours with LED directional luminaires used to minimise glare and adopt a task light approach. The Institute of Lighting Engineers' guidance on the reduction of obtrusive lighting (2005) would be complied with and any required safety and security lighting used between 23:00 and 07:00 would adopt lower levels of lighting. Subject to operational requirements, all other external lighting would be automatically switched off (by time switch) between 23:00 and 07:00. Low height column lighting would be provided throughout the car park.

Flood Risk Assessment (specific)

- FRA1. Specific - The FRA states that as a result of consultation with the Environment Agency the site is located outside of the recognised flood zones and is classified as falling within Flood Zone 1 (as defined in the NPPF – Low Probability of Flooding).
- FRA2. Specific – The Agency’s maps confirm that there is generally a low risk of surface water flooding on site. A small area of high risk exists in the south-east corner of the application site in the general location of the substation fronting Victoria Road. There is also an area of low risk that runs along the northern boundary following the railway sidings.
- FRA3. Specific – The FRA goes on to state that the residual risk of flooding to the development is low and that it would have little effect on flooding up and downstream. Overall, the proposed development is considered unlikely to cause significant effects on the environment through flooding.
- FRA4. Specific - The FRA states that the site’s previous use made it predominantly impermeable and is assumed to have been served by public sewers.
- FRA5. Specific - The FRA concludes that the use of infiltration based SUDs is not suitable due to the nature of the proposed development and the unsuitable ground conditions. However, surface water attenuation is proposed to be provided utilising below ground tanks or oversized pipes. Suggested considerations are green roofing – shown on the roofs of the Victoria Road frontage building and Build to Rent building - and permeable paving.

Landscape Design Statement (combined report)

- LDS1. General - The Statement suggests that the landscape proposals would create an attractive, formal, and robust ‘urban type’ landscape scheme across the three application sites that would reflect its town centre location, and reinforce the existing Victoria Road ‘boulevard’ character. The proposed material palettes would, through a consistent approach, create a unified public and semi-public realm, and would include ‘Kentish Landscape’ design elements that would create a strong ‘sense of place’.
- LDS2. General - ‘Water’ and ‘landscape orientated SUDs’ elements are suggested as providing visual and physical links to the Great Stour riverside.
- LDS3. General - The Statement concludes that the contrast of the river frontage is reflected in the softer and greener design approach to this area where amenity and ecology aspects would be reinforced in order to maximise the value of the riverside environment in this area.

- LDS4. A hit and miss boundary fence is proposed along the customer car park Victoria Road frontage to the site. The detailing would be common with that provided along the majority of the Victoria Road frontage involved with the brewery proposal immediately to the east of the site.

Mechanical and Electrical Services Stage 3 Design Brief (specific)

- MES1. Specific (brewery) - The report states that the first floor area would be a shell and core, with fit out by others (including the heating, cooling and ventilation systems in the ground floor retail area and the first floor restaurant/bar). It has been assumed for the purposes of the report that these would comprise of VRF heating/cooling ceiling cassettes and/or an above ceiling ducted unit connecting to ceiling grilles. Ventilation would be via heat recovery supply and extract units to cater for fresh air requirements. 'back of house' areas of restaurant/bar (kitchen and toilets) would be provided with mechanical ventilation also designed, supplied and installed by the fit out tenant.
- MES2. Specific - The report identifies that the brew house and bottling area would not be provided with specific heating. Although these areas would benefit from some localised heating from the processing plant, generally this is deemed to be an unoccupied industrial building requiring no heat. Similarly, the brew house and bottling area would have no supply or extract ventilation. However, a ventilation system in the brew house would circulate air at high level and discharge it down over the single glazed façade to help reduce condensation.
- MES3. Specific - The report states that a new water main would serve drinking water points and a cold water booster set break tank. A boosted water supply would provide a feed to serve the brewery and a separate feed would be run to the restaurant/bar. A hot water calorifier heated by a gas fired boiler or directly would generate hot water which would be piped to serve the restaurant and bar. Toilets in the brewery would be provided with hot water via point of use instantaneous electric water heaters. The staff shower would be electric.
- MES4. Specific - Lighting would use LED fittings throughout the proposed building. These lights would be controlled by absence detectors with daylight linking where appropriate, with manual override. Toilet and stores areas would be controlled by presence detectors. The main processing area would be controlled by a lighting control system to provide different levels of artificial lighting to suit the needs of the space at the time.
- MES5. Specific - The report concludes that sustainability will be demonstrated through a BREEAM based assessment, with a BREEAM 'very good' rating being targeted in line with the Council's adopted policies.

Noise Impact Assessment (combined report)

- NIA1. General - The Assessment states that the applications have been considered separately and cumulatively and recommendations have been made for noise mitigation. Details of mitigation would need to be finalised post grant of permission once scheme details are finalised but calculations using worst case assumptions have been made and appropriate noise mitigation has been presented. It is considered that this demonstrates that noise can be effectively controlled under such worst case conditions such that appropriate criteria will be met.
- NIA2. General - The cumulative noise impact of the three schemes would be acceptable when considered against planning policy, with appropriate mitigation in place.
- NIA3. Specific (brewery) – The report states that noise from night time (i.e. between 2300 and 0700 hours) servicing of the brewery could be controlled by construction of screening, if such servicing is required by the brewer. A 3.5m high acoustic screen of suitable design in the locations shown in the image below is cited as being a reasonable approach taking into account the specific context of the site and closest noise sensitive premises being 140m to the north on Elwick Road beyond the railway lines. If no night time servicing is proposed then there would be no need for any such screening.



- NIA4. Specific (brewery) - The Assessment states that the noise from proposed fixed plant and equipment in use at the brewery can be controlled by a planning condition limiting levels. Suggested wording is provided.
- NIA5. Specific (residential) - The report concludes road traffic dominates the the night and day time environment around the site and that in a worst case scenario internal sound reduction to bedrooms can be achieved by using 'off the shelf' windows. Such windows would need to be closed to achieve such sound reduction and background ventilation will need to be achieved by other means such as high specification acoustic trickle vents or suitable acoustic air brick or wall vents. It is suggested that this can fine detail be controlled by a planning condition.

Odour Impact Assessment (combined report)

- OIA1. Specific – Information in the Assessment has been provided arising from the operational proposals being considered by the brewer. Each brew proposes 60 hectolitres (hl) of product with this volume being completed in the region of 4 hours. The initial proposals are to run two to three brews per day (although this could increase to four brews). Total hours of brewing operation per day would be 12-16 hours per day five days per week.
- OIA2. Specific – The majority of the brewing process would take place within the building in vessels. The main odours associated with this stage would be a range of organic compounds produced from malt and hops during the wort-boiling stage. It is anticipated that vapour would be discharged via individual stacks serving each vessels through the main roof. Odours would be reduced during fermentation.
- OIA3. Specific - Storage of spent grain would take place within silos outside the building on its northern side, prior to disposal of site typically within seven days. Waste yeast would be stored in outdoor bins and has the potential to produce odours. Liquid effluent is a by-product of the brewing process. Depending on licence conditions this would be discharged directly to the sewer and if necessary certain components would be road transported off-site. With reference to the Environment Agency's odour guidance, brewery odours are categorised as being in the 'less offensive' range. With this and the scale of operations proposed in mind, source odour potential is assessed as being 'low'.
- OIA4. Specific – The Assessment identifies that odour 'episodes' often tend to occur during stable atmospheric conditions with low wind speed giving poor dispersion and dilution with potential for receptors close to the source to be affected. When conditions are not calm, downwind receptors would be affected and this represents the higher risk of odour impact. Using a 5 year wind direction average, prevailing winds are from the south and south-west.

The resultant receptors are to the north and north-east. The closest downwind receptors are retail and commercial premises situated in excess of 100m from the proposed brewery site. The closest residential properties would be approximately 90m to the south and thus 'upwind'.

OIA5. Specific – The differing sensitivity of receptors is identified. 'High sensitivity receptors' would be where people could reasonably expect to enjoy a high level of amenity and would be present continuously or regularly as part of the normal pattern of the use of the land concerned. High sensitivity receptors would include:-

- (i) residences on Victoria Crescent to the south-west and west,
- (ii) residences to the north,
- (iii) Victoria Road School to the west,
- (iv) the Housing 21 residential care home to the north, and
- (v) Community and Nursing Care Agency premises to the north.

'Medium sensitivity receptors' would involve a lesser standard of amenity than one would expect in the home and in places not normally continuously or regularly used. The medium sensitive receptors within 250m of the proposed brewery would include industrial and commercial outlets including a garage, rail repairs depot and retail stores, police station, library, shopping centre, petrol filling station, sports and social clubs, two churches, community centres, post office, restaurants and public houses. 'Low sensitivity receptors' include car parks and nearby green spaces.

OIA6. Specific – The Assessment identifies that the likely magnitude of odour effects at receptors is a factor of the risk of odour exposure and the sensitivity of the receptor. A summary is given of odour effects in relation to the existing and context of the brewery proposal is given. It is suggested that there would be a potential 'negligible effect' at all of the receptors sites and the overall significance of effects is considered to be 'not significant'.

OIA7. Specific – It is considered that although the brewery is not expected to give rise to unacceptable odour impacts under normal operating conditions, it is possible the occasional, short-term odour annoyance during adverse weather or abnormal operating conditions could be experienced. The scale of such potential short term impacts is not considered to change the aforementioned 'not significant' conclusion. Should any odour nuisance be reported then it is suggested the brewer would review control measures in place and take further action as required.

OIA8. General - The Assessment concludes the development proposals adhere to policy guidance and that there is no reason falling within the scope of the Assessment that precludes the granting of planning permission for the development as proposed.

Planning Statement (combined report)

- PS1. General - The PS sets out the rationale for the redevelopment of the three sites and the key principles of the development alongside policies set out within national policy and the statutory development plan.
- PS2. General - The PS states that the proposals are considered to follow the principles of the allocation within the adopted Town Centre Area Action Plan 2010 and have been informed by the previous planning permission for the site's redevelopment.
- PS3. General - The proposed development would deliver a mix of market and Built to Rent (Build to Rent) housing and a number of wider benefits for the town centre.
- PS4. General - The PS states that the development would create a number of benefits for Ashford town centre, the local community and the wider Borough. These include:-
- a. Approximately 160 extra jobs,
 - b. An injection of around £55m of private sector investment into Ashford,
 - c. An enhanced town centre evening economy through the introduction of additional town centre residents (and their spending) and a new brewery with an evening economy offer,
 - d. Improved consumer choice by providing a new superstore not currently represented within Ashford,
 - e. Improved vitality and viability of the town centre through increased (£3.8million a year) net additional resident expenditure in local shops and services in Ashford town centre,
 - f. Improved mix of housing within Ashford. BtR would be new to Ashford and would widen housing choice by filling a gap for high quality rental
 - g. Assist the retention of local people who want to stay in Ashford but who cannot afford to buy a home
 - h. Appeal to a younger demographic attracted by town centre living, excellent transport connections and high quality rental accommodation and public realm

- i. Give rise to an additional £50million in economic output (GVA) over 10 years
- j. Represent an efficient use of urban land helping to reduce pressure to develop in other areas

PS5. General - The PS concludes that overall, the proposals would enable the comprehensive regeneration of an important town centre site which is currently vacant and provides a poor gateway and sense of arrival to Ashford and the town centre. The proposals are considered to be in accordance with national and local planning policy and guidance and therefore planning permission should be granted.

Planning Viability (specific)

PV1. Specific - The report states that the viability of the scheme is extremely challenging due recent build cost inflation and the distinct financial challenges facing the UK's emerging Build to Rent market as recognised in national planning policy.

PV2. Specific - The report states that in accordance with planning policy, a financial assessment of planning viability has been prepared and submitted to support the application. The model, which is to be subject of review by the Council, demonstrates, that based on current day costs and values the scheme cannot support the delivery of any Affordable Housing. Notwithstanding this, the applicant is prepared to take an internal commercial view in order to enable delivery of the scheme and its wide range of benefits.

PV3. Specific - The report concludes that whilst Build to Rent does not fall within the national definition of 'affordable housing', it importantly provides well managed secure housing for the growing number of households who are not eligible for the Council's waiting list but also unable to afford private sale housing. In this way it acts as an 'affordable' alternative to market sale housing. It also supports the creation of new jobs and economic growth which will contribute to the Council's policy objectives for regeneration and growth.

Statement of Community Views (combined report)

SC1. General - The report states that the U+I Group promoted 4 days of public exhibition / consultation events which were held close to the site – 2 days at the McArthur Glenn Designer Outlet Centre and 2 days at the County Square Shopping Centre – through a variety of methods: an advertisement in the Kentish Express; newspaper articles; launching their own website; a door drop to 300 local homes and businesses; working with the Council to promote through their webpage; and by holding a preview of the consultation for invited local stakeholders.

- SC2. General – The report identifies that the public exhibition / consultation materials consisted of a very large display which featured CGI images of the different aspects of the proposed Victoria Road developments.
- SC3. General - The report states that over the 4 days of public exhibition / consultation events, 339 people completed the iPad questionnaire. It should be noted that very often the person conducting the questionnaire was often speaking to couples and small family groups; therefore it is believed that the total number of people engaged with the proposals was actually a higher number than the recorded 339 total.
- SC4. General - The report concludes that analysing the data provided about postcodes, the highest representation was from people living within the postcodes starting TN23 and TN24, i.e. close to the sites. From outside the “TN” postcode area, the highest representation was from those living within the “CT” postcode area.

Transport Assessment (combined report)

- SC5. General - The TA describes the access arrangements and states that the proposals will be accessed by several priority T-junctions at different locations along Victoria Road and George Street. The developments have been designed so as to be permeable to pedestrian and cycle access, as well as to be accessible to service vehicles including those carrying out refuse collection.
- SC6. General - The TA then goes on to describe the parking standards and states that the proposed vehicle and cycle parking provision for each of the three development sites would comply with the relevant local parking standards.
- SC7. General - The TA describes non-car access and asserts that the sites are within walking distance of a wide range of facilities including supermarkets, schools, leisure destinations, employment areas and the centre of Ashford. There are further facilities within the cycling catchment of the site, allowing further opportunities in terms of education and employment and a choice in terms of leisure and shopping facilities.
- SC8. General – The TA identifies that a large residential catchment is within walking distance of the proposal site, providing opportunities for any staff to walk to work. All three sites are considered accessible by public transport, with 26 bus services serving bus stops local to the site and up to 17 domestic rail services per hour in each direction from Ashford International Station. The development sites are all accessible to the local and strategic road network.

SC9. General - The TA states that in relation to road safety statistics no pattern of accidents has been identified within the study area which might have a negative bearing on the acceptability of the proposed development.

SC10. General - The TA identifies that in relation to traffic assessment and capacity modelling, the assessment of development impacts is considered robust in its conclusion that:-

(i) the proposed traffic increases arising from the developments would be modest,

(ii) the impact of the proposed development on the operation of local junctions would be modest,

(iii) the proposed site access junctions would all operate within capacity, and

(iv) the three applications are acceptable from a transport perspective both individually and cumulatively notwithstanding that improvements to the capacity of local highway network are being proposed by others.

Ventilation and Air Exhaust Discharge Strategy (specific)

V&AED1. Specific - The Strategy states that the exact nature of the ventilation and air exhaust requirements of the future occupants of the proposed superstore are currently unknown. However, ventilation would be required for occupant comfort, health and wellbeing purposes

V&AED2. Specific - The Strategy identifies that food preparation areas would need to incorporate suitable exhaust system from catering equipment in those areas. It goes on to describe all the different measures that should be taken into consideration for the occupant comfort, health and well-being, toilet/washroom, car park, kitchen / food preparation areas, flues, chimneys etc.

V&AED3. Specific - The Strategy concludes that all ventilation system will require to be designed in compliance with the requirements of Part 'F' of the building regulations and the Council's environmental health officer (HDSS&D comment: assumed to be via consideration of scheme fine detail pursuant to a planning conditions).

Utilities Report (combined)

UR1. General - The report states that investigations into the relevant utility companies' apparatus in the vicinity of the site have been undertaken. Applications to these utility companies for new connections has and will be

carried out for the diversion of existing utility infrastructure in or affecting proximity to proposed development.

- UR2. General - The report then goes on to say that from various infrastructure sources has been provided and summarised for the following below ground mechanical and electrical engineering services: water, electricity, telecommunications, and gas.
- UR3. General - The report also asserts that an underground services radiography survey is carried out prior to any construction works to assist in verifying the precise location of buried underground services as the accuracy of the information from the statutory authorities cannot be relied upon.
- UR4. General - The report then concludes that consultations need to be undertaken with local utility asset owners who may have apparatus in and around each plot. This allows strategies to be developed which can ensure each application can be accommodated within the local infrastructure network in order defined scopes of work can be prepared with associated costs.

Planning History

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|-------------|---|
| 98/01373/AS | <p>Outline Application for mixed use development comprising an hotel, associated A3 and leisure uses, offices, housing and car parking and new access road.</p> <p>This application was granted 15/03/99 and was not implemented.</p> |
| 04/02195/AS | <p>Outline application (with all matters reserved) for mixed use development incorporating up to 355 residential units (of which up to 261 dwellings will be provided on Block C) comprising a mix of 1 and 2 bed units, retail food and drink (A1, A2, A3, A4, A5) up to 1731m², business or education - 19285m², with an additional 1595m² of business/leisure floor space, and hotel/leisure up to 119 bedroom hotel with facilities (6169m²).</p> <p>This application was granted 16/04/2008 and was not implemented.</p> |
| 08/01122/AS | <p>Erection of 261 dwellings together with 6 commercial ground floor units, related car parking and landscaping</p> <p>This application was disposed of as undetermined in November 2011.</p> |

Consultations

Ward Members: One of the Ward Members is a member of the Planning Committee . No comments received.

Natural England: No comments to make.

KCC PROW: No comments to make.

Southern Gas Networks: Identify that records show that there are low/medium/intermediate pressure gas mains near the site and that the applicant should confirm the position using and dug trial holes and adopt safe digging practices in accordance with Health & Safety Executive guidance.

Housing Manager: Comment as follows:-

'The applicant has considered the obligation for affordable housing within their planning statement under the Councils current policy (Page 26 6.52) they have also commented regarding the emerging planning policy (page 14 4.15) They have also picked up on the ABC Cabinets endorsement for PRS in the town centre with the report put before them during September 2015 (Page 26 6.49)

The inability of the scheme to provide affordable housing is also outlined due to viability reasons (Page 27 6.61).

However, on reading the Planning Viability Statement it is interesting to read that on (Page 13 5 Modelling Outcomes 5.3 to 5.5 inclusive) that the scheme still does not give a competitive return with NIL affordable housing yet they have based on an internal commercial view decided to proceed.

The scheme includes a range of facilities such as the 'super lounge' which includes a gym and a club lounge, including cinema. Both types of facilities are or will soon be available in close proximity to this development. Encouraging residents to use the existing facilities such as the Stour Centre and other health club type businesses and the proposed cinema at Elwick Place would potentially further support the town centre economy and regeneration whilst reducing overall costs of the scheme.

Whilst recognising the desire for quality PRS accommodation in the town centre, there is approval for the Powergen site to deliver circa 400 units of PRS and an application for the former Travis Perkins site with a potential 51 PRS units (subject to viability outcomes).

With a further 200 units of PRS and 16 units of market sale units within this application, Housing Services would request that consideration is given to redressing the balance of tenures in this area with the provision of some affordable housing. Considering that this overall scheme will be providing a range of employment

opportunities at the Brewery, Hotel and Supermarket and at the nearby college and AMRAC developments these staff are unlikely to be able to afford the PRS options available here and at the Powergen site but will need to be within an affordable travel distance from the town centre to provide the 'service offer'.

On the matter of design I note the studio flat at 38.2 sqm is quoted as being based on ABC Space , but I can find no reference to that space standard within the ABC Residential Space and Layout SPD.'

Environmental Health Officer (Environmental Protection): Makes a number of detailed comments in respect of both the residential and brewery components of the proposal. These are set out below in four separate sections.

(A) In respect of noise issues relating to the residential element of the scheme, comments as follows:-

'The report finds high existing noise levels at the façade of the proposed residential block during both the day and night.

The proposed sound insulation measures can achieve good internal levels from the existing noise and potentially new noise that may be introduced by the commercial units, brewery and linked applications for hotel and Aldi store. Although this is essentially by creating acoustically sealed spaces which is increasingly being recognised as poor acoustic design. Current draft Professional Practice Guidance produced by the Chartered Institute of Environmental Health, Association of Noise Consultants, and Institute of Acoustics on Planning and Noise states;

'sealing of the building envelope is generally unsatisfactory and should be regarded as a last resort. Solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design. Any reliance upon building envelope insulation (including proposing closed windows and alternative means of ventilation and cooling) should be fully justified in supporting documents'

If you are minded to grant permission with this acoustic design, which appears to be justified in this case due to the high external noise levels, the condition below could be applied to ensure a reasonable internal noise level:

- *The scheme of noise mitigation measure in compliance with recommendations of the submitted; acoustic report, energy strategy report, and ventilation strategy, shall be implemented in full to achieve accepted design recommendations as per BS8233:2014 prior to the use commencing and permanently maintained thereafter.*

BS8233:2014 states that “*the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50 – 55 dB LAeq, 16hr*”. The standard continues ...“*These guideline values may not be achievable in all circumstances where development might be desirable. In such a situation, development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited.*”

In respect of the balconies \ terraces I would suggest that if a noise level of below 50dB LAeq, 16hr at façade cannot be achieved this should not necessarily be a bar to the development and in terms of residential amenity it is still more desirable to have balconies than exclude them on noise grounds. However I do think there are further design options available to ‘*mitigate and reduce to a minimum*’ the adverse impacts as far as possible in line with NPPF. I am aware of other sites where developers have used solid and imperforate balustrades and Class A acoustic absorption applied to the balcony undersides \ soffits. This would achieve a small reduction in noise level on the balcony and also help somewhat with internal noise levels when the relevant windows are open. A condition below could cover this:

- *A scheme for protecting the balconies and terraces from noise exceeding 50dB LAeq, 16 hour (which shall include imperforate balustrade screens and Class A absorption on the balcony soffits) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.*

Alternatively another acoustically better but possibly more complicated option is to enclose balconies and terraces by sliding glass panels (known as ‘winter gardens’). Both options are also mentioned in the (currently draft) CIEH \ IOA \ ANC Professional Practice Guidance for Planning and Noise.’

(B) In respect of noise issues in relation to the brewery element of the scheme (with additional reference to the superstore subject of application 16/01167/AS), comments as follows;-

‘The proposed servicing to the food store and brewery, give noise levels at Elwick Road as existing noise sensitive premises.

The noise from servicing will however significantly impact on the vacant plots along Elwick Road which I understand are scheduled in local planning policies for mixed use development including residential, and also impact on the residential proposed by this application. Both these aspects have not been adequately assessed through the acoustic report, and as such I would recommend that further surveying is conducted with reference to the impact of servicing noise on the proposed residential development and also on the vacant plots scheduled for residential development.

Ignoring the potential impact on the vacant plots on Elwick Road it is noted that with no mitigation, night-time servicing of brewery and store gives a BS4142:2014 level of +23dB, and with mitigation via 11dB barrier gives BS4142:2014 level of +11dB. The report asks that this level is taken into context and assumes that with existing noise levels around LAeq 54dB that the residents will have closed windows of a night time. Such an assumption may not be correct, and these residents may not have alternate acoustic and mechanical ventilation. Even with mitigation provided by the proposed barrier, a level of +10dB or more is likely to be an indication of a significant adverse effect.

Draft CIEH/ANC/IOA Planning and Noise Professional Guidance also states;

'It should be noted that the acoustic performance of the building envelope will be reduced in the event windows are opened for ventilation or cooling purposes, typically reducing the insulation to no more than 10 to 15 dB(A). Most residents value the ability to open windows at will for a variety of reasons and LPAs should therefore normally expect designers, through the use of good acoustic design, to achieve the internal noise level guidelines in all noise-sensitive rooms with windows open. Only exceptionally should the LPA agree to assess the proposal assuming windows will be closed. Where exceptional circumstances are found that would justify the use of non-openable windows, special care must be taken to design the accommodation so that it provides good standards of acoustics, ventilation and thermal comfort without compromising other aspects of the living environment.'

I do not find that this case warrants exceptional circumstance to justify that these residents should in effect be forced to keep windows closed to avoid being exposed to an increased background noise level generated by this development. As such we would recommend that if the development is permitted a condition along the following description is provided in order to protect amenity;

- *Servicing to the Brewery development and Aldi store shall be prohibited outside of the hours of 0800 hours and 2200 hours Monday – Saturday, and 0900 hours and 1800 hours on Sundays or Bank Holidays.*

With regard to daytime servicing of these units, we note limited noise data for the Elwick Road measurement point. With the mentioned barrier providing an LAr of 51dB the level according to BS4142:2014 will be within the region of +3 and -11dB. I request that further detail is provided on representative noise levels at the existing residential on Elwick Road prior to determination.

It is however likely that conditions including a barrier scheme, and level loading dock will be required for daytime servicing. Alternatively the scheme could be altered to provide servicing internally via purpose built service bays for both Brewery and Aldi store, both with level loading docks. Such building provides additional opportunity to mitigate the noise effects of this activity, and may allow for 24 hour delivery in

accordance with best practice, and limits the potential detriment to on air quality by having lorries on the road during busier and peak traffic hours.

The servicing of hotel and commercial units recommends acoustic glazing and ventilation is specified, but gives no specifics. However this will be covered by the first suggested condition.'

(C) In respect of odour issues potentially arising from the brewery use, comments as follows:-

'With respects to the odour report, the report concludes a likely negligible odour effect.

Anecdotally, I am aware of odour issues at another local brewery, although a much older premises. In particular issues are noted from; outside storage, outside processing, sewerage treatment (a permitted activity), and liquid effluent disposal. I suspect that discharge of liquid effluent to sewers will not be permitted, which raises further concern with reference to the road transport of such material, and the introduction of sewage treatment plant. I would strongly recommend against outdoor processing and storage of spent grain/yeast in bins.

Some associated processes may be dealt with by means of an Environment Agency issued Permit i.e. water discharge consent, or sewage treatment plant. However much of the process is unregulated from an Environmental Permitting perspective.

It does however highlight that '*it is possible that the local community may experience occasional, short term odour annoyance during adverse weather or under abnormal operating conditions*', which we take to include stable atmospheric conditions and low wind speeds. Although the report is indicative that the odour should not be so significant so as to amount to a statutory nuisance, such impact on the town centre may not prove to be acceptable from a planning perspective. The report does not clarify 'occasional'.

For that purpose I would recommend that the (standard) condition E012 is applied if it is deemed suitable to grant permission.'

(D) In respect of air quality during construction phase, construction management plan and outdoor lighting comments as follows:-

'We ask that in accordance with the mitigation measures suggested by the submitted Air Quality Assessment, the following conditions are applied;

- *Details of a dust management plan for the construction phase, in full compliance with recommendations of the submitted air quality report (Ref:AQA-19852-16-95), shall be submitted to the Local Planning Authority for*

written approval. Once approved the scheme shall be implemented in full prior to the commencement of construction works.

- *Details of a construction logistics plan for the construction phase, in full compliance with recommendations of the submitted air quality report (Ref:AQA-19852-16-95), shall be submitted to the Local Planning Authority for written approval. Once approved the scheme shall be implemented in full prior to the commencement of construction works.'*

The Officer concludes that due to the proposed operating hours, and likely need for lighting systems, these should be the subject of planning condition as well as planning conditions that will ensure prevention of pollution.

Kent Highways & Transportation: No objection to amended plans. Make the following overarching comments:-

'The Highway Authority is satisfied that the submitted Transport Assessment has been prepared in accordance with previously agreed scoping for development within this locality, and I can concur with the conclusion made regarding the impact that traffic from this proposal will have on the highway network. The TA predicts that the local highway network would experience a modest increase in traffic volume, and computer modelling of the nearby junctions likely to be affected has demonstrated that they would experience minimal impact. It should be noted that the impact has been assessed on the basis of the combined traffic expected to be generated from all 3 separate planning applications made concurrently by the Applicant, covering their 3 sites over the larger development area. Additionally, I would confirm that the current planning application in respect of the Former Powergen site, application reference 15/01671/AS, also considered these 3 development proposals as a sensitivity test within its assessment of the highway network. This concluded that the planned highway improvements to the junctions of Beaver Road/Victoria Road, and Beaver Road/Elwick Road, which are to be funded through S106 contributions, would have capacity to accommodate all the proposed developments.'

It is considered that the parking provision for the residential element of this application accords with Ashford's adopted parking guidance, which suggests a maximum of 1 space per flat in "central" locations, such as this town centre site. Whilst it is noted that the brewery and shop/restaurant development on the northern side of Victoria Road will only be provided with 21 parking spaces out of a maximum possible provision of 111, it is appreciated that the site is within an area controlled by parking restrictions, and public car parks are available within a reasonable distance.'

Request a number of matters are the subject of planning conditions.

Parking, Highways and Transportation Manager ABC: Advises that residents of the proposed apartments would not be eligible for a Resident's Parking Permit and that existing streets further to the south of the Great Stour River would not be likely to suffer from overspill parking as they are already the subject of Controlled Parking Zones (CPZ). Extending CPZ's further southwards into the existing neighbourhood is considered unnecessary at the present time but could, if overspill parking problems are encountered in the future, be considered.

Kent Police: No objection. Make reference to the need to incorporate measures to minimise the risk of crime.

Sport England: No objection.

Stagecoach: No objection and welcome the applications 16/01157/AS, 16/01164/AS (hotel) and 16/01167/AS (superstore) to develop the entire Victoria Way East

Identify that the present pattern of bus stops is not ideally suited for serving the development due to various constraints which means that not all buses passing Beaver Road Bridge stops at certain times can actually stop in them due to the need to then change lanes in a very short distance before traffic signals. A contribution is requested for creation of a bus shelter on the outbound Beaver Road Bridge Stop G and a suggestion is made of a new bus layby with shelter (also to be funded through a contribution) at the entrance to Beaver Road.

South Ashford Community Forum: Identify support to mixed use development of the site and make the following comments:-

'We note the application allocates the ground floor of the Victoria Road residential block for retail use. We believe that small craft workshops, with sale of goods produced on-site, should be included in any permission granted for this location.

We are pleased that the open space bounded by the Built to Rent is to be public and believe the arrangement will reduce the visual impact of the block from the riverside walk.

Whilst it is appreciated that there are no remaining heritage assets on the site, we would like a reference to the heritage of the site provided. The Brewery site was the location of a school that was destroyed by a German bomb in the Second World War. Although there were no injuries to occupants of the school, elsewhere in Ashford, 50 people were killed and 77 seriously injured in that raid. Adjacent to the school stood a flour mill, one of two large mills in Ashford, owned by H.S. Pledge &

Sons. The mill was destroyed by fire in 1984. We believe that the proposed visitors centre offers the opportunity to mark this history.'

Victoria Residents' Business and Recreation Action Group: Object and state a number of objections, general comments and concerns as follows;-

1. It is accepted that parcels of waste land will be developed in the future and it would be nice to see them cleared, properly utilised and developed. However the local residents who will be directly affected by the current proposals have expressed serious concerns and worries and fears in respect of the applications 16/01157/AS, 16/01164/AS and 16/01167/AS.

2. Concerns relate to the height and scale of the buildings planned, particularly those for the site south of Victoria Road and the effect that that proposal would have on the lives of existing residents.

3. There are already many difficulties and pressures on the local road system with residents having to plan journeys leaving extra time in order to exit the immediate road system. Jams at the signalised crossroads are mentioned. With the development plans for 600 homes at the nearby Powergen site already passed, the proposals would only worsen the situation considerably. There are also live planning applications for 59 flats involving the former Travis Perkins site nearby. The road system would, as a consequence, be overloaded. Despite road surveys suggesting the effects would be 'modest' the impacts of so many proposals cannot be fully estimated and are considered to be highly significant. The planned superstore would add considerably to vehicular movements in the area alongside the hotel and commercial units.

4. There are concerns about parking which despite the permit system is likely to be affected since the on-site parking proposals for the scale of development are insufficient.

5. The proposed storey height would totally dominate the existing mainly two-storey buildings, dwarfing them and their existence. A scaling down of the proposed development in both height and size would improve this situation and would be favoured by local residents.

6. There are serious concerns regarding the construction phases and the effects of construction traffic, noise and dust and how this would be controlled during an expected lengthy construction period.

7. Concerns are expressed in relation to the lack of doctors' surgeries and dental practices in the area and the implications of a significant increase in the number of people living in this part of town on these everyday community services.

KCC Flooding: Object and state as follows;-

'A flood risk assessment has been provided for these proposals, however no specific details have been provided to determine the volumes of attenuation required on either the north or south plots, and how this will be accommodated within the proposed layout. Additionally, proposed connections to sewer do not follow the sustainable drainage hierarchy where it would be feasible for surface water to outfall directly to main river for parts of the site.

We would therefore request that a more detailed surface water strategy is provided for the proposals which includes:

1. The existing drainage layouts for areas of hard-standing and the points of connection. Which takes into account any additional limited factors such as pipe sizes. We note the existing public surface water sewer adjacent Plot 1 is only 225mm diameter in this location, therefore a proposed outflow rate of 51.2 l/s is unlikely to be accommodated.
2. Details of the volumes of attenuation required (including allowances for climate change) and how this will be accommodated within the proposed layout. This should be detailed within an indicative drainage layout as a minimum.
3. Details of the proposed outfalls from the site, which are demonstrated to follow the sustainable drainage hierarchy. These should be directly to watercourse for the southern part of the site. Should the northern site be required to outfall to public sewer, this should utilise surface water sewers rather than foul or combined networks in the interest of ensuring sustainable development. We would recommend a capacity check is requested from Southern Water for any proposed outfalls to sewer.

Unfortunately KCC therefore currently objects to the proposed development due to insufficient information being provided to determine whether surface water flood risk has been adequately considered for these proposals.'

Project Delivery Engineer: Request a holding objection in relation to the surface water drainage proposal. Comments made by KCC are supported. Identify that no specific details have been submitted as part of the application and therefore it cannot be determined at present whether the proposal would meet the requirements of the Council's Sustainable Drainage SPD.

Comment that the proposed connection to the sewer does not follow the sustainable drainage hierarchy due to the potential to outfall parts of the site into the main river. In addition to the comments made by KCC, it is suggested that the applicant should be seeking to meet the following criteria for site run-off rates as defined in the SPD;-

'Best endeavours' to achieve 4l/s/ha. Failing that, aim to achieve a reduction from the existing runoff rate for the site (where this can be established); As an absolute minimum, must not lead to a net increase in run-off rate above the existing rate for the site (Where this can be established), or 10.26l/s/ha (Where the existing rate cannot be established).

Environment Agency: Initially entered a holding objection. Following further consideration of the proposal this is withdrawn. The Agency state;-

'Our principal concern was with the safety of future residents in times of flood in the 'lower ground floor' accommodation nearest the river. From the information provided, the lowest level of this accommodation would appear to be 38.7 metres Above Ordnance Datum; this is well above the predicted 1% + climate change flood level (37.52 mAOD). We are now satisfied that this accommodation should be safe. We also note that the primary means of access and egress from these units is away from the river.

The application states that there will be no trade effluent arising from the site. This is unusual for a brewery. However, this matter can be addressed outside of the planning system.

There is also no mention of where the water will come from for the brewing process. It is assumed that this will come from the public water supply rather than local private abstraction. Again, not really a matter for planning, but we would be keen to ensure the brewing facility uses water efficiently.

Finally, we understand that the development falls out(side) our 8 metre byelaw margin along the River Stour. If work does extend into the byelaw margin then a Flood Risk Activity Permit (FRAP) is likely to be required. We would welcome measures along the river corridor that improve the habitat and setting for the river and for the development.'

KCC Ecology: Make a number of comments on the applicant's Ecology Appraisal. and request further surveys are carried out.

(HD&SSD comment: The applicant has carried out further surveys and will submit an Addendum report shortly for KCC's review. KCC hope to be able to report with an assessment prior to the Planning Committee. My proposed Recommendation takes this into account)

Kent Wildlife Trust: Raise no objection and state;-

'The application site is adjacent to the Local Wildlife Site River Great Stour (AS23). We are pleased to note that a landscape buffer has been provided immediately to the north of the Local Wildlife Site (LWS). However, this strip of land contains a cycleway/path and recreation facilities and therefore provides very little green

infrastructure function or “true” buffer to provide a barrier and therefore reduce impacts on the Local Wildlife Site. If the width of dense planting cannot be increased to include more tree and understorey cover in between the development and the LWS, then the proposed planting scheme needs to be improved considerably. The sections labelled on the Landscape Plans as “amenity shrub planting” and “grass seating areas and ornamental planting” should be substituted for denser planting of native species of local provenance, rather than ornamental varieties indicated. This will help to increase the green corridor effect of this linear wildlife site that is an important part of the Green and Blue network supporting Ashford’s development plan.

Please note that this application site is within the Biodiversity Opportunity Area of Mid Kent Greensand and Gault, therefore planting could reflect this by including acid grassland and heathland species.

I have been unable to find any lighting proposals and would advise Ashford Borough Council to condition a Lighting Strategy, in order to ensure that excessive lighting is avoided along the landscape buffer and the railway line, where bat, bird and invertebrate activity is likely to be highest. Light spill into the LWS also needs to be avoided and denser buffer planting will assist in this.

Kent Wildlife Trust has no objection to the planning application, subject to this being addressed.’

Network Rail: No objection. Recommend a large number of conditions are attached to ensure that the proposals would have no adverse impact on Network Rail (High Speed) Assets.

(HDSS&D comment: As per the approach that I adopted with application 15/01195/AS for Elwick Place I proposed that these conditions are combined into a single condition that ensures that the applicant reaches agreement with Network Rail on all matters to do with ensuring that the proposal has no adverse impact on the rail asset and its safe functioning.)

ABC Open Spaces Officer: Requests off-site contributions in respect of outdoor sports, informal/natural space, play space, allotments, strategic parks and cemeteries totalling £1.8m.

{HDSS&D comment: The Officer confirms that communal podium space and the riverside public open space addition have not been included in arriving at that calculation because of the residents’ only status of the former, and issues of a SUDs swale and size in respect of the latter]

Residents: 201 neighbours consulted **10** letters of objection and **2** letter of support and **2** general comments received. Comments are summarised below:

Objection comments

Built form

- The proposed 6 story height of the proposed residential buildings would be out of keeping with the surrounding area.
- The development would result in urban cramming.
- The height of the development is too big and should be lowered.
- There is already a large amount of this type of development planned within the area and it would be better to see something that better reflects the area rather than a mass of flats.
- The number of housing units is too many.
- The design of the residential units is not in keeping with the existing properties in the area.
- There are already a number of flatted developments proposed within the area and it would be better to have some impressive housing instead.
- The proposed density and massing is excessive.
- Development on this site should be a maximum of 4 storeys.
- The development should include 3, 4 and 5 bedroom houses with attractive gardens.

Parking & road network

- There is a lack of parking proposed.
- The additional traffic will likely result in impacting upon the existing residential parking in Victoria Crescent which is already oversubscribed.
- The amount of traffic using the Victoria Way junction will increase and cause problems during the rush hour and at weekends when it is already busy.
- Increased traffic will make it harder for residents to get in and out of Victoria Crescent.

- The development will impact upon the free movement of traffic.
- The development should include traffic calming measures on routes frequented by school children (Victoria Crescent and Gorge Street).
- There is no need for access to be from George Street. It could be from Beaver Road where it would not affect residents living on Victoria Crescent.
- There will not be enough parking as couples living together will be likely to have two vehicles. Extra parking spaces will also be required for visitors to the development.
- Construction traffic should not be allowed to enter or exit Victoria Crescent from the school end during. It should enter and exit via Beaver Road or George Road.
- It is not clear how the existing 8 on street parking spaces (available to permit holders) on the adjacent street will be affected and if they would remain available to existing residents.

Environment

- There are protected reptiles on the site.
- The development would overlook the environmentally important River Stour and the so called 'green corridor' but would appear to do little to enhance this asset.
- Due to the location of the development adjacent to the River Stour, flood risk could be increased.
- The development would result in increased pollution.
- The construction phases of the planned developments are likely to be lengthy which will have a significant impact on locals in particular in terms of dust. Construction should be limited to Monday to Friday day times only.

[HDSS&D Manager Comment: Should Members resolve to grant planning permission a condition is proposed that would require details of a construction code of practice which would seek to militate against such issues occurring.]

Amenity implications

- The development will put a strain on local services such as healthcare and education. As there are already plans for more high density housing on the

former Travis Perkins site and the Powergen site this development will significantly add to this problem.

- The development will overlook existing residential properties.
- The development would result in more traffic noise.
- The area will become saturated with flats and apartments.
- It is felt that residents have little or no way forward in influencing changes to the plans as these large scale developments already appear to have the 'green light' from the Council.
- Concerns that all local residents (those living within Victoria Crescent and Victoria Road) were not specifically consulted.

[HDSS&D comment: I have raised the matters set out in the last two bullet points specifically with the applicant. The Statement of Community Involvement details the public exhibitions that were held enabling residents to view, ask questions and leave comments helping shape the proposals.

The applicant confirms that an invitation to these events went to over 300 households including all of those on Victoria Crescent in March 2016.

Additionally, a preview session prior to those public events was held and local residents' groups including Victoria Road Business and Residents' Action Group, were invited.]

Support comments:

- The developers provided a good public consultation and have shown a willingness to take on board comments of local residents.
- The development is well placed for access to local transport links.
- The development is well located in relation to the town centre.
- The site is a prime location that is long overdue for redevelopment.
- The public open space proposed in the residential blocks is welcomed as it will break up the impact of the flats along the riverside walk.

General comments:

- There should be restrictions on opening hours and noise levels in order to protect existing and proposed residential developments from noise pollution - i.e. loud music, visitors leaving the development late at night.

[HDSS&D Manager Comment: It is recommended that a condition is attached to any grant of planning permission restricting the opening hours to protect residential amenity. Environmental nuisances can also be dealt with outside of the planning system under the provisions of the Environmental protection legislation. The use of the pub will require a premise licence]

- Public open space should be provided
- A brick wall is all that is left of the original Beaver Road School and this should be retained.

Planning Policy

105. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012 and the Chilmington Green AAP 2013. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and has now closed. At present the policies in this emerging plan can be accorded little or no weight.
106. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN13 – Green Corridors

EN14 – Land adjoining the Green Corridors

EN31 – Important habitats

EN32 – Important trees and woodland

SH1-T enterden & Ashford town centres (comparison and convenience shopping)

TP6 – Cycle parking

LE5 – Equipped public open space

LE6 – Off-site provision of public open space

LE7 – Play facilities

LE8 – Play facilities

LE9 – Maintenance of equipped public open space

CF6 – Standard of construction of sewerage systems

CF8 – Renewable energy

Local Development Framework Core Strategy 2008

CS1 – Guiding Principles

CS2 – The Borough Wide Strategy

CS3 – Ashford Town Centre

CS7 – The Economy and Employment Development

CS8 – Infrastructure contributions

CS9 – Design Quality

CS10 – Sustainable Design & Construction

CS11 – Biodiversity and Geological Conservation

CS 12 – Affordable Housing

CS15 – Transport

CS16 – Retail

CS18 – Meeting the Community's Needs

CS19 – Development and Flood Risk

CS20 – Sustainable Drainage

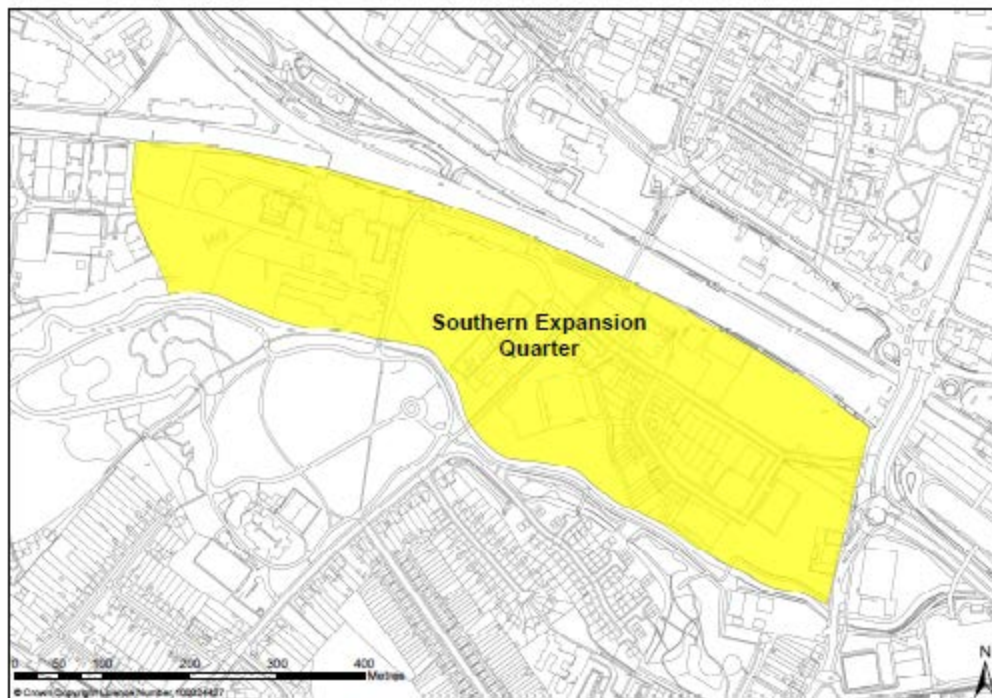
CS21 – Water Supply and Treatment

Ashford Town Centre Area Action Plan 2010

TC1 – Guiding Principles

TC2 – The Town Centre Core

TC10 – The Southern Expansion Quarter



'The Southern Expansion Quarter should accommodate a large amount of new development with the primary focus on residential development, the proposed Learning Campus and a 500 space multi-storey car park all served by the new Victoria Way. Also within this Quarter, limited retail, leisure, commercial and community-related uses would be acceptable in principle.

Redevelopment proposals in this Quarter must enable the delivery of the vision for Victoria way as an urban boulevard. All proposals must demonstrate that they would produce a well-proportioned street based on the relationship between building heights and street width. East of Gasworks Lane, redevelopment proposals shall ensure the delivery of a street 24 meters wide between building frontages. To the west of Gasworks Lane, redevelopment proposals shall ensure that the width of the street shall be based on the scale of building heights proposed along either side of the street.

Developments fronting Victoria Way would be required to deliver a finished quality of public realm to the quality set in the Town Centre Design SPD. This may involve improvements to the first stage construction standard of this space.

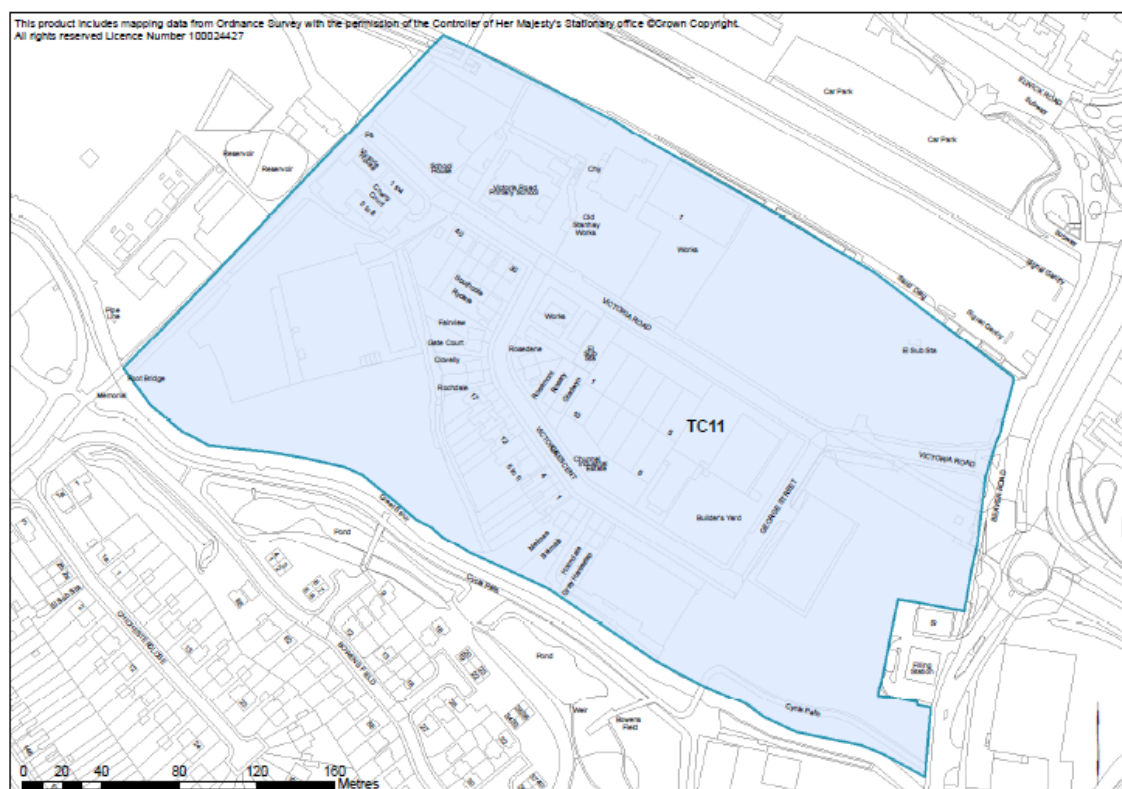
A new public urban space (Victoria Square) would be created at the intersection of the Learning Link route and Victoria Way in line with the Public Realm Strategy. Developments that would front or surround Victoria Square and/or the Learning Link would need to show how they complement their roles in terms of their use, scale and design. A design brief for this area would need to be agreed by the Council before detailed proposals are considered.

A replacement footbridge / cycleway shall be delivered to provide an improved crossing of the railway lines and link between Victoria Square and Elwick Square.

Development adjacent to the footbridge / cycleway must demonstrate how it would respond to the change of levels between Victoria Square and the footbridge in a way that assists in the delivery of a high quality public realm along any resultant ramped, terraced or stepped solution.

All proposals in this Quarter will need to demonstrate that they will create an attractive urban neighbourhood set in high quality public realm, based around Victoria Way and pleasant and easy access to the town centre core and riverside spaces. In doing this, proposals will need to respect the relationship with existing residential properties in this Quarter, the riverside landscape and its ecology and the Victoria Road primary school.'

TC11 – Victoria Way East



Policy TC11 – Victoria Way East

Redevelopment in the Victoria Way East area should deliver a mix of residential, office and education uses complemented by active street frontages at ground floor level fronting Victoria Way comprising small scale retail and other consumer services, eating and drinking places.

The part of this site where planning permission has been granted for the Learning Campus will be protected for that or similar education use unless other suitable alternative provision has been made.

The scale of development along this section of Victoria Way shall be between 4-6 storeys fronting the highway. Building scale should step down towards the riverside.

The built form and layout of development in this area should provide enclosure to the street-scene with occasional breaks in the building line to enable glimpsed views northwards to the town centre core and southwards towards the river corridor. Any new building adjacent to the railway line will need to present a positive frontage to the railway and views from the north.

Where new development is close to existing residential properties it must avoid creating an overbearing impact or adversely affecting residential amenities.

Proposed development adjacent to the river corridor shall provide a built frontage to the corridor whilst ensuring there is adequate space between the building line and the river bank to improve the riverside environment in terms of its appearance and biodiversity.

TC22 – Office, Retail and Leisure Parking Standards

TC24 – Town Centre Cycle Parking Standards

TC 25 – Commuted Parking

TC26 – Green Corridors in the Town Centre

Local Plan to 2030

SP1 – Strategic objectives

SP2 – Strategic approach to housing delivery

SP3 – Strategic approach to economic development

SP4 – Delivery of retail and leisure needs

SP5 – Ashford Town Centre

SP6 – Promoting high quality design

HOU1 – Affordable housing

HOU3 – Residential development in Ashford urban area

- HOU12 – Residential space standards (internal)
- HOU14 – Accessibility standards
- HOU15 – Private external open space
- EMP1 – New employment sites
- EMP6 – Fibre to the Premises
- EMP9 – Sequential Assessment and Impact Test
- EMP11 – Tourism
- TRA3(a) – Parking standards for residential development
- TRA3(b) – Parking standards for non-residential development
- TRA4 – Promoting the local bus network
- TRA5 – Planning for pedestrians
- TRA6 – Provision for cycling
- TRA7 – Road network and development
- TRA8 – Travel plans, assessments and statements
- ENV1 – Biodiversity
- ENV2 – Ashford Green Corridor
- ENV6 – Flood risk
- ENV7 – Water efficiency
- ENV8 – Water quality, supply and treatment
- ENV9 – Sustainable drainage
- ENV11 – Sustainable design and construction (non-residential)
- ENV12 – Air quality
- ENV15 – Archaeology
- COM1 – Meeting the community's needs

COM2 – Recreation, sport, play and open spaces

IMP1 – Infrastructure provision

IMP2 – Deferred contributions

107. The following are also material to the determination of this application:-

Supplementary Planning Guidance/Documents

Landscape Character Assessment SPD 2011

Residential Space and Layout SPD 2011(now external space only)

Residential Parking and Design SPD 2010

Sustainable Drainage SPD 2010

Public Green Spaces and Water Environment SPD 2012

Dark Skies SPD 2014

Informal Design Guidance

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins

Government Advice

National Planning Policy Framework 2012

108. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF states that less weight should be given to the policies above if they are in conflict with the NPPF.

109. The NPPF is designed to facilitate positive growth – making economic, environmental and social progress for this and future generations and delivering sustainable development without delay. It sets out a ‘pro-growth’ agenda. Paragraph 21 of the NPPF highlights some crucial points in this respect, including:

(i) investment in business should not be over-burdened by the combined requirements of planning policy expectations,

(ii) policies should be flexible enough to accommodate needs not anticipated in the plan and allow a rapid response to changes in economic circumstances,

and

(iii) local plans should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.

110. Paragraph 23 of the NPPF requires that planning policies should be positive and promotes competitive town centre environments. It identifies that town centres lie at the heart of their communities and that they should provide customer choice and a diverse retail offer and reflect the individuality of town centres.
111. Paragraph 24 of the NPPF sets out the 'town centre first' approach which is crucial in achieving these aspirations.
112. Paragraph 47 of the NPPF states that local planning authorities should use their evidence base to ensure that any Local Plan produced meets the full, objectively assessed needs for market and affordable housing in the housing market area in order to significantly boost the supply of housing.
113. Paragraph 50 of the NPPF states that local planning authorities should seek to deliver a wide choice of high quality homes with the specific aim of widening opportunities for home ownership. Where local planning authorities identify that affordable housing is needed, they should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
114. It is clear that Government advice is that affordable housing policies should be sufficiently flexible to take account of changing market conditions over time. This is of particular importance given the Core Strategy was adopted in 2008, and the length of time that the application site has sat dormant.
115. The key theme of Government policy is one of promoting sustainable development with the planning system defined as a key mechanism of achieving its delivery. There are three accepted dimensions to sustainable development;-
 - (a) an economic role – contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure,
 - (b) a social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and

future generations and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being, and

(c) an environmental role – contributing to protecting and enhancing the natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving towards a low carbon economy.

116. Government policy attaches great importance to the design of the built environment as set out in paragraph 56 of the NPPF. Good design is a key component of sustainable development ('indivisible from good planning') and contributes positively to making places better for people.
117. Paragraphs 173 to 177 deal with 'ensuring viability and deliverability' and are pivotal in seeking to ensure that the scale of obligations and policy burdens included in local plans does not threaten the viability of potential development sites that would contribute towards the planned housing delivery targets and thereby prevent sustainable development from being carried out.
118. Of note in regard to development viability is the second half of paragraph 173, that states:-
- 'To ensure viability, the costs of any requirements likely to be applied to development, such requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'
119. The NPPF encourages local authorities to approach affordable housing delivery pragmatically. In an environment of significant downward pressure on the availability of grant funding for the development of new affordable housing, local authorities are being challenged to deliver value for money of Government funding, their own funding and developer subsidy, whilst responding innovatively and effectively to local priority needs.
120. Optimising overall, locally appropriate outcomes is a consistent theme throughout policy.
121. The NPPG provides a general overview but focuses on viability in the context of both plan making and individual application sites. The site specific guidance covers a number of areas including different development types, brownfield sites, considering planning obligations in viability, values, costs and land

value, but in particular expands upon paragraph 173 of the NPPF in regards to 'competitive returns to developers and landowners'.

122. Paragraph 24 of the NPPF states;-

'A competitive return for the land owner is the price at which a reasonable land owner would be willing to sell their land for the development. The price will need to provide an incentive for the landowner to sell in comparison with the other options available. Those options may include the current use value of the land or its value for a realistic alternative use that complies with planning policy.'

123. Paragraph 173 of the NPPF (and the NPPG thereafter) introduces financial viability into Government planning policy and guidance including the concept of a competitive return as a material consideration in the determination of planning applications.

124. Further to this, the NPPF sets out the changes affecting the ability of local planning authorities to deliver affordable housing, which, for example, includes the introduction of the 'Affordable Rent' product (whereby rents of up to 80% of Market Rent can be charged), the reduction of grant funding for affordable housing and the introduction of the Community Infrastructure Levy.

125. Paragraph 173 of the NPPF highlights that local plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. In light of this, the Council should in my view be mindful that that application site specific policy and other related policies were developed prior to the financial crash of 2008 and as such the deliverability of this site and any obligation need to be considered in light of current market conditions.

126. In terms of design, Central Government advocates that local planning authorities should not seek to dictate architectural style particular tastes and should not seek to stifle innovation, originality. Decisions should focus on the overall scale, density, massing, height, landscape, layout, materials. Decisions should also seek to promote or reinforce local distinctiveness wherever possible.

National Planning Policy Guidance (NPPG)

127. Paragraphs 23 – 28 set out those aspects of design that local authorities should consider as a minimum. These are:
- layout – the way in which buildings and spaces relate to each other
 - form – the shape of buildings
 - scale – the size of buildings
 - detailing – the important smaller elements of building and spaces
 - materials – what a building is made from
128. Government advice goes on to highlight that the quality of new development can be spoilt by poor attention to detail. Careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rain water details, ironmongery and decorative features. It is vital not only to view these (and other) elements in isolation, but also to consider how they come together to form the whole and to examine carefully the ‘joins’ between the elements.
129. In terms of materials they should be practical, durable, affordable and attractive. It is noted that choosing the right materials can greatly help new development to fit harmoniously with its surroundings. They do not have to match, but colour, texture, grain and reflectivity can all support the creation of harmony in the townscape.

DCLG: Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities

130. ‘Build to Rent housing can help to fix the country’s broken housing market by providing another source of good quality housing supply which can also accelerate the speed of housing delivery.

The Government has introduced a number of initiatives to kick-start the sector but ultimately, it needs to stand on its own two feet without fiscal support. Local Authorities are critical to the establishment of Build to Rent housing over the long-term. They have the powers to support the sector’s development under the National Planning Policy Framework and on its own land and there are an increasing number of Local Authorities who are actively supporting its development. Dialogue between Local Authorities is encouraged. This guide aims to help Local Authorities to develop their understanding of this housing sector. It also seeks to provide a further catalyst for a sustainable supply of Build to Rent housing schemes. This will not only meet the growing demand from long-term institutional investors but it will meet the needs of tenants who are the ultimate beneficiaries of the Government’s Build to Rent initiatives.’

DCLG: 2010 to 2015 government policy: rented housing sector

131. 'There are 1.8 million households on waiting lists for social housing. We must ensure people can get accommodation that meets their needs both in terms of quality and cost.'
132. 'Appendix 9: private rented sector - The private rented sector has grown and improved enormously in recent years and accounts for approximately 16.5% of all households, or nearly 3.8 million homes in England.

The private rented sector offers a flexible form of tenure and meets a wide range of housing needs. It contributes to greater labour market mobility and is increasingly the tenure of choice for young people.

The government wants to see a bigger and better private rented sector and believes that the most effective way to make rents more affordable is to increase the supply of new homes.

In addition, a new model tenancy agreement is being developed, which will provide tenants with a clear guide to rental contracts. This will enable tenants to identify which clauses in their agreement are optional or unique to that property, helping them to negotiate longer fixed-term tenancies and demand greater certainty over future rent rises.'

133. National described space standards.

Assessment

134. The main issues for consideration are as follows;-

(a) The principle of the proposals i.e. how the redevelopment of the site would fit with both existing local and national planning policies (and emerging local policy) in terms of the proposed uses

(b) The design quality of the brewery proposal and its contribution to the character of Victoria Road

(c) The impact of the brewery on the amenity of the area in terms of noise and odour

(d) The design quality of the residential and small commercial unit proposals on the southern side of Victoria Road (and their contribution to the character of Victoria Road) and the design quality of the Build to Rent block further to the south

(e) The riverside environment: (i) the impact of the proposed parking court on the Beech tree subject of Tree Preservation Order, (ii) ensuring appropriate access to enhanced riverside environment public space and (iii) ensuring appropriate public access through the proposed parking court

(f) Whether the residential development proposals south of Victoria Road would provide sufficient on-site public open space to meet the needs of residents

(g) The acceptability of the proposals south of Victoria Road on the amenities enjoyed by existing residents

(h) Whether the proposals are acceptable in terms of contamination, flooding, byelaw margins, approach to managing surface water drainage and ecology

(i) Sustainable design and construction

(j) Car parking serving the brewery and associated commuted parking payments

(k) Car parking serving the x 3 commercial units and associated commuted parking payments

(l) Car parking quantum serving apartments and the applicant's proposed additional measures

(m) The acceptability of the traffic impacts arising from the development

(n) Mitigating the impacts of proposed development: the policy starting point for contributions secured by s.106 agreement

(o) The applicant's viability case

(p) Viability: conclusion & negotiated s.106 contributions

135. I deal with these in each of the sub-sections below.

136. (a) The principle of the proposals i.e. how the redevelopment of the site would fit with both existing local and national planning policies (and emerging local policy) in terms of the proposed uses

137. The approaches in the NPPF in respect of the importance of sustainable development in urban areas, the need to support town centres, the need to facilitate growth through delivering necessary new homes and the need to help deliver vibrant communities with facilities supporting a variety of

employment and leisure needs are all mirrored in the Council's planning policy documents dealing with the area in which the application falls.

138. The site falls within the overarching Southern Expansion Quarter identified in Policy TC10 of the TCAAP 2010. The primary focus is identified as being residential with limited retail, leisure, commercial being identified as being acceptable in principle. The importance of all development proposals enabling the delivery of the vision for Victoria Road as an urban boulevard (termed 'Victoria Way') is stated. All proposals are required to demonstrate that they will produce a well-proportioned street relating to building heights and street width. East of Gasworks Lane, a street width of 24m is identified. Development fronting Victoria Way will be required to deliver a high quality finished public realm. All proposals in this Quarter are identified as needing to demonstrate that they will create an attractive urban neighbourhood set in high quality public realm based around Victoria Way and pleasant easy access to the town centre core and riverside open spaces, respecting relationships with existing residences and the riverside landscape.
139. I consider that the proposal follows this overarching steer on an acceptable redevelopment in this Quarter. In my opinion the proposal;-
- would be primarily residential
 - would contain a small amount of retail uses fronting the street on both sides
 - would provide commercial uses (brewery and A2/B1a office uses)
 - would deliver linear tree planting, a cycleway and quality public realm
 - would complete Victoria Way on its southern side in the manner envisaged
 - would provide easy access for scheme residents to the town centre core
 - would enable townsfolk to reach the town centre via George Street
 - would connect townsfolk to proposed Victoria Way uses via George Street
 - would create a high quality and attractive urban neighbourhood
 - would deliver communal residents' only internal and external facilities
 - would physically connect residents with the riverside corridor
 - would visually connect residents with the riverside corridor
 - would not have an adverse impact on the amenities of existing residents
 - would represent an acceptable scale of redevelopment intensity given the physical separation with the nearest existing homes in Victoria Crescent and Victoria Way
140. Where appropriate, I deal with aspects of the above in further detail in topic based sub-sections further below in this Assessment.
141. Policy TC11 of the TCAAP 2010 focuses on a specific element of the overall Quarter, termed 'Victoria Way East'. The application site falls directly within this area. The Policy identifies that redevelopment here should deliver a mix of uses including residential and office uses complemented by active street frontages at ground floor level fronting Victoria Way comprising small scale

retail and other consumer services, eating and drinking places. The part of the site previously granted planning permission for a Learning Campus is identified as being protected for that or similar education use unless other suitable alternative provisions has been made. The scale of development along this section of Victoria Way is identified as being between 4-6 storeys fronting that street with a step down towards the riverside.

142. The Policy requires built form and layout to enclose the street scene with occasional breaks in the building line to enable glimpsed views northwards to the town centre core and southwards to the river corridor. Any new building adjacent to the railway line will need to present a positive frontage to the railway and views to the north. Development is required to avoid any overbearing impacts/adverse impacts on existing residences. Development adjacent to the river corridor is required to provide a built frontage whilst allowing adequate space to improve the riverside environment in terms of appearance and biodiversity.

143. I consider that the proposal follows this more detailed policy steer on the eastern end of the Quarter. In my judgement the proposal;-

- would deliver a mixture of uses appropriate to the envisaged Quarter
- would include small scale retail/office uses as ground floor active frontage
- would provide high quality new eating and drinking places
- would not prejudice education provision (now being constructed elsewhere)
- would deliver an appropriate 5-storey frontage to Victoria Way (south side)
- would create reasonable enclosure to Victoria Way on its north side
- would provide for an appropriate and varied scale of riverside development
- would have a layout maintaining glimpsed views to the town centre core
- would have an acceptable design relationship with the railway and beyond
- would give glimpsed views south along George Street to the riverside
- would directly visually connect many new homes with the river corridor
- would have an acceptable amenity relationship with nearby homes
- would create visually attractive additional riverside public open space
- would, through soft landscaping and other means, enhance biodiversity

144. Where appropriate, I deal with aspects of the above in further detail in topic based sub-sections further below in this Assessment.

145. Policies TC10 and TC11 seek to achieve attractive, well-designed and appropriate development helping support the town centre environment. These general planning objectives are also identified as 'guiding principles' in Policy TC1 of the TCAAP 2010. The approach in all three policies flows directly from the Borough-wide strategic 'umbrella' policies contained within the Core Strategy 2008 such as Policy CS1 (Guiding Principles), CS2 (Borough-wide Strategy), CS3 (Ashford Town Centre), CS7 (Economy and Employment development) CS9 (Design Quality). It therefore follows that proposals in

accordance with the provisions of the TCAAP policies are also in accordance with the overarching general planning policy provisions of the Core Strategy.

146. Turning to emerging local policy in respect of the principle of development, this does not form part of the adopted development plan, and cannot be weighted as such, but clearly is still a material consideration.
147. Policies SP1, SP2, SP3, SP4, SP5 and SP6 of the June 2016 draft Ashford Local Plan are all relevant. They seek to;-
- promote high quality design (including use of review by a Design Panel)
 - focus development in acceptable locations
 - make best use of suitable brownfield opportunities
 - create well designed attractive places
 - promote access to a wide choice of sustainable transport modes
 - meet changing housing needs including affordable homes
 - focus the majority of new homes in around and Ashford
 - provide a range of employment opportunities
 - maximise town centre employment opportunities
 - meet the need for retail/leisure development within the town centre
 - provide scope for range of retail, office, leisure, hotel and residential uses
 - provide scope for flexible approach to contributions where these would represent a barrier to delivery of development that would accord with the Plan's vision
148. In conclusion, I consider that the uses that are proposed in the application and the way in which they are proposed to be delivered would be in accordance with Policies CS1, CS2, CS3, CS7 and CS9 of the Core Strategy 2008 and Policies TC1, TC10 and TC11 of the TCAAP 2010. In addition, the proposal would accord with emerging planning policies SP1, SP2, SP3, SP4, SP5 and SP6 of the June 2016 draft Ashford Local Plan.

(b) The design quality of the brewery proposal and its contribution to the character of Victoria Road

149. The layout design reasons for the slightly more set-back built edge to the northern side of Victoria Way are set out in the Proposal section of this report. This was an issue that the Design Panel and I raised with the applicant at pre-application stage. Unfortunately, the position is still unclear as to whether live services are present under the corner of the application site which was previously Victoria Road before realignment and enhancement on land further to the south.
150. Nevertheless, this site constraint has resulted in space for the creation of an attractive entrance forecourt to the building. That original idea sought to take forward the idea of a 'curious' forecourt that was explored at Design Review

with the idea being that the detail of the space would be gradually discovered and would not be directly seen from the street.

151. The amended plans submitted during the course of dealing with the application would be , in my opinion, a better visual 'fit' with the colour and materials palette of the building than the Corten steel boundary that was originally proposed. The proposed stout black timber posts would work well around the public entrance and outdoor seating area with the widening helping create a legible entrance. Stout black metal posts used elsewhere on the street frontages would complement the stout gauge of the timber posts. Attaching mesh to the rear inward face of metal posts is supported as it would visually signify the importance of the posts in the boundary detailing rather than the mesh. The mesh would allow glimpses to the brewery building even once the proposed hedge planting matures and so would be acceptable in my opinion.
152. Overall, I consider that the applicant's approach to this space represents an innovative, exciting and appropriate space that would complement the architectural approach to the corner element of the building. The ability of the boundary to be softened by landscaping as it matures over time would help 'green' the street and street corner and so is supported as is the incorporation of a richer soft landscaping palette using grasses to replicate barley and cereals along with hops and water to tell the story of the brand and beer. It would be important to continue this boundary style around the proposed substation and westwards along the Victoria Way frontage of the proposed superstore site in order to create a visually strong and coherent design approach to the street edge. Although the sub-station is likely to come with a number of fixed parameters I would wish to ensure that the black post/mesh and hedge planting approach informs the final design and colour approach to its immediate hinterland so that the substation blends into the overall frontage with the minimal possible intrusion. I propose to deal with this by planning condition.
153. The scale of the brewery building and the strong use of glazing to brewing and public areas would help ensure that the frontage to the street corner and Victoria Way would be active and animated in the manner that is envisaged in the TCAAP policies. Subject to no adverse operational issues, I would support the applicant mood lighting the interior around the fermentation vessels so that the unusual nature of the use (and the sheer scale of the vessels) could be seen at night, further helping create a vibrant street scene at an important gateway entrance to Victoria Way and the route to the town centre core.
154. I support the over-sailing roof supported by a colonnade and vertical planting frontage of the brewery fronting Victoria Way. Its simplicity would complement the different approach adopted for the corner element adjacent to the Beaver Road bridge and complement the architectural similarities with the proposed

superstore further to the west subject of application 16/01167/AS. The proposal includes a continuous frontage planter (that would be block-work with a bonded slate finish) from which vertical planting grown up a system of wires linked to the over-sailing roof. Redolent of hop growing, the proposal is innovative and would further enliven the street scene and so is supported and can be the subject of a planning condition.

155. The gap between the brewery and the western boundary of the application site would allow for glimpsed views northwards to the town centre core as envisaged by the TCAAP 2010.
156. The rear of the building facing towards the railway lines adopts a reasonable visual approach adjacent to this major transport infrastructure corridor. I consider that placing 'back of house' operations with a need for security is appropriate in this location.
157. Depending on the outcome of the issue of night time servicing, the boundary treatment here might need to change to an acoustic fence. The same would be true of the western boundary. This matter can be dealt with by planning condition.
158. The proposed planning conditions requested by Network Rail (Asset Protection) in relation to development in proximity to the railway corridor can be condensed into a single planning condition that requires submission of evidence to the Council of approvals between the applicant and the rail authority has been entered into prior to commencement of development.
159. The proposed architectural style for the corner ground floor retail and first floor eating/drinking element of the brewery has enhanced scale and would be visually striking. I support this approach: it would deliver a building corner with landmark qualities, it would site well visually with a hotel opposite, it would be appropriate given the aforementioned gateway entrance and it would emphasise the brewery as a retail and leisure destination as part of a regenerated and vibrant town centre. The fine detail of the space, including any appropriate amenity lighting take forward the originally proposed 'hop pole' lights, can be dealt with by a planning condition. The external staircase celebrated through an open arc of the facade is proposed to borrow light from the interior and itself be lit: this has further potential to add night time interest and I agree with the applicant that this can form a planning condition.
160. I note the information from a resident and the SACF about the site's history. I do not consider that the small area of walling on the site would, in itself, be appropriate to retain. However, I would wish to explore with the applicant an appropriate acknowledgement of the sites' past in the design of the forecourt entrance space and propose that this form the subject of a planning condition.

(c) The impact of the brewery on the amenity of the area in terms of noise, odour and lighting

161. I deal with noise issues first. The applicant has confirmed the following anticipated hours of opening and operation;-
- (i) Opening - 09:00-23:00 (Monday - Thursday and Sunday)
 - (ii) Opening - 09:00-24:00 (Friday and Saturday)
 - (iii) Operation (Brewing) - 24 hours a day
 - (iv) Operation (Packaging) - up to x 2 eight hour shifts per day
162. There are three issues here.
163. First, the noise that would arise from the brewery in operation as a building wherein manufacturing would take place on a 24 hour basis. The supporting NIA identifies that subject to detailed mitigation to be finalised and agreed pursuant to a planning condition any noise produced by plant and equipment would be able to be effectively controlled to an acceptable level. I have noted comments from the Environmental Health Officer (Environmental Protection) (EHO) and the suggestion that limited noise data has been presented in relation to a measurement point on Elwick Road. I consider that this is a matter that can be dealt with by planning conditions.
164. Second, the noise that would arise from the brewery as a building where the public would have admission into those proposed areas for the retailing of food and drink. I consider that the suggested opening hours are reasonable given the town centre location (and the role that the publically accessible elements would have as part of the town centre evening economy) as well as the distance from the nearest existing homes. In any event, these matters would be assessed further through licensing requirements. Notwithstanding this, I propose that opening hours in relation to the retail and food and drink element of the building is the subject of a planning condition.
165. Third, the supporting NIA submitted with the application suggests that should night time servicing be required, an acoustic fence would be a reasonable approach on northern and western boundaries of the brewery in order to ensure against any adverse impacts of this activity on noise sensitive receptors such as homes. I agree with that approach.
166. I also agree with the EHO that the nearest noise sensitive premises to the north could be the subject of change should the application for homes on Elwick Road subject of a live application be granted and implemented and that the existence of that proposal appears not to have been taken into account in the NIA. That being the case, the need for an acoustic fence is made more compelling should night time servicing be proposed by Chapel Down. I also agree with the EHO that approaching the matter of the increased

background noise level that would be generated by nighttime servicing of the brewery on the basis of residential occupiers (existing and proposed) being forced to keep windows closed would be an inappropriate way of dealing with the impacts of any nighttime servicing. The EHO's suggested condition in respect of hours of servicing is noted. I take it as the starting point for discussion with Chapel Down both in terms of the need for any acoustic fence and the need to balance operational efficiency with the context of the location and existence of noise sensitive receptors to night time servicing.

167. I have raised the issue of night time servicing with the applicant as the layout plans submitted with the application do not show any acoustic fencing to the boundaries concerned. The applicant has responded that the extent of any night time operation of the brewery is not yet fully known and so has requested that a planning condition be attached requiring agreement of acoustic fencing should any servicing be required during the 23:00-07:00 period. I consider that this approach would be a reasonable safeguard to help protect sensitive receptors from noise through night time servicing and agree to the proposal.
168. Turning to matters of odour, I note the EHO's comments and anecdotal reference to issues that can be experienced at other sites. Clearly, some operational matters would be outside of planning control s (such as effluent disposal and transportation of such material off-site) and some (such as outdoor processing and outdoor storage of spent grain/yeast) should be able to be eradicated through adopting an approach that recognises the context of developing a modern brewery in a town centre context. A condition requiring no outside processing and the method of waste disposal is needed.
169. On the issue of odours that might arise during very stable low wind speed climatic conditions, I note that the EHO does not disagree with the applicant's suggestion that these would be unlikely to amount to a statutory nuisance and the suggestion that the possibility of any resultant impacts are a matter for planning judgement.
170. My conclusion is that;-
- (i) I agree that the EHO's suggested planning condition would be appropriate,
 - (ii) I accept the applicant's suggestion that in normal circumstances the impacts of odour arising from the brewery would be likely to be negligible,
 - (iii) I nevertheless consider that it would be appropriate for Chapel Down's team to meet with me and the EHO to ensure that the approach to all elements of the proposed brewery operation that might give rise to odour issues are refined with minimum best practice adopted (and preferably exceeded) so as to ensure that the brewery, as part of a valued local

business, proceeds as a good town centre neighbour, and

(iv) I conclude that on that basis the benefits of the use in terms of employment generation, brown-field town centre regeneration and positive benefits to the town's tourism and daytime & night time town centre economy are such that planning permission should be granted.

171. In terms of lighting, this will need to be appropriate balancing operational matters and any servicing that might be agreed alongside the need to avoid harm to the amenities of residents and light pollution generally and harm to any protected species specifically. I agree with the EHO that fine details should be agreed through planning condition.

(d) The design quality of the residential and small commercial unit proposals on the southern side of Victoria Road (and their contribution to the character of Victoria Road) and the design quality of the Build to Rent block further to the south

172. The design approach taken to the smaller block fronting Victoria Road is as envisaged in the TCAAP. It would contain active ground floor frontage (through the proposed flexible use commercial units) as well as entrances to rising circulation cores, it would provide a strong urban sense of enclosure to the tree-lined street and the block would be five-storeys in height and so within the 4-6 storey height parameters set out in Policy TC11 of the TCAAP as being necessary to create an urban street and sense of place.
173. The frontage block would be sufficiently recessed from the southern kerb edge of Victoria Road to allow a 3m wide shared cycleway footway, a linear tree belt in bound material south of that and paved forecourt up to the building's edge thereafter. These street completion elements have been a design constant in the approach to public realm improvements at this eastern end of Victoria Road and so I support the layout. Any balconies wrapping around the building corners would need to avoid overs-sailing an element of the public highway unless prior agreement has been reached with Kent Highways & Transportation. Works within the highway will require a separate s.278 agreement with the local highway authority.
174. Moving southwards, the scale of the 'Build to Rent' building would be a total 7-storeys in height on the northern side, although the lower ground floor car parking storey would be cut into the site (which slopes gently towards the River Stour). The 7th storey would be recessed from the floor below and provided with a different architectural treatment so as to reduce the apparent height of the building, provide amenity terrace spaces for occupiers and help distinguish it visually from the floors below. I am comfortable with and support that architectural approach. The need for this storey arises primarily out of the applicant's evolution of the ground floor of the building to incorporate

resident's only communal facilities including the 'super-lounge' which I support as adding to the quality of lifestyle that occupants would be able to enjoy. Although the result is a storey-height slightly outside of the parameters envisaged in Policy TC11 of the TCAAP, I consider that the proposed design approach would be an acceptable departure from the Policy.

175. The other 6-storey wings to the building are arranged around the edge of the site in order to both help address part of the River Stour frontage ('Wing 4') but otherwise help frame a large central landscaped residents' only communal garden containing hard, soft and water landscaping elements. This arrangement would reduce the vertical scale of new built frontage facing towards the river corridor and so I support the approach taken. It would make good use of the space above the lower ground floor undercroft car park. The large gap in the frontage arising from the central podium space would help recess built form from (and reduce its impact upon) the riverside. The podium space would physically connect to the river corridor level by a flight of secure steps thereby enabling residents to access the riverside movement corridor and route to Victoria Park a short distance away. Besides physical connection, the arrangement of the wings would enable the maximum possible visual connection of homes with the green riverside environment as well as the penetration of sunlight to homes and the communal garden space and so is supported.
176. This step down by one-storey 'edge' would be softened and humanised through the proposed riverside apartments to be provided with private amenity terraces and the applicant proposes small public space additions on the northern side of the existing riverside footway/cycleway which would help create a more generous (and high quality than presently exists) public realm and provide a transition space between the footway/cycleway and the private amenity terraces serving proposed homes along this edge to the development. I agree with both approaches. Policy TC11 makes specific reference to a residential development of the site needing to step down in scale at the river corridor edge and the applicant's proposals achieve that as well as making a contribution to river corridor visual enhancement as required by Policy TC11 and Policy TC26.
177. My conclusion is that the design approach taken by the applicant meets the aspiration in Policy TC11 for a sensitive approach to building scale at the southern interface with the riverside and protects and enhances the green corridor through new planting and public open space as aspired to by Policy EN14 of the Ashford Borough Local Plan and Policy TC26 of the TCAAP 2010 and so I am happy to support it.
178. The application has made post-deposit design amendments to the building and taken on board a number of my comments. I consider that these changes finesse the quality of the building considerably. The introduction of different

brick work and further articulation of the building façade, particularly in Wing B rising above (and including) the superlounge at ground floor level, help break-up the building by adding visual interest and creating shadow lines.

179. The different approach to private amenity spaces and balconies (some recessed, some projecting with changing colours tones to balustrades) in my opinion would combine to create a visually stimulating vibrant urban building that acknowledges both the need to be urban (given its town centre context and the benefits of enhancing homes in that location as part of regeneration and supporting shops and services) but at the same time a design that would connect strongly with the green corridor through which the River Stour passes as part of place-making. This theme of 'connection' to the river corridor as a means of creating character was a matter raised through the Design Review process for development sites south of the railway lines through the town and the applicant's architectural response is therefore pleasing and one that I am happy to support.
180. The Council's Informal Design Guidance Note 1 deals with matters of refuse collection. The Note identifies that larger blocks of flats (typically those in excess of 3-storeys in height) fall outside of the advice set out in the Note and require a bespoke approach through discussion with a scheme promoter.
181. The applicant has been made aware that a Council refuse freighter would not normally pass onto private land and has confirmed that whether Council collection or private collection would be the case has yet to be determined. I propose to reinforce this by a Note to any permission so that Council collection is not assumed.
182. In terms of quantum of refuse storage space and the locations chosen, I consider that the approach is reasonable. Facilities are well located close to each of the rising circulation cores containing stairs and lift. I am mindful that the applicant's involvement in large schemes of this nature means that what has been proven to work well elsewhere has informed the design approach to this site.
183. The applicant's NIA has been considered in respect of the living conditions of future occupants. I agree with the Council's EHO that certain measures will be necessary to make sure that the homes likely to be impacted by traffic noise and the proposed superstore and brewery have employ detailed acoustic design measures to make sure residents are provided with an acceptable standard of amenity. I proposed to deal with this matter by planning condition.
184. In conclusion, I consider that the design quality of the proposal is acceptable and accords with development plan policies identifying the importance of high quality design and place making and, in particular, Policy EN14 of the Ashford Borough Local Plan 2000, Policies CS1 and CS9 of the Core Strategy 2008,

Policies TC1, TC10, TC11 and TC 26 of the TCAAP 2010. The scale of development – as a result of the inclusion of a limited area of 7th-storey - is slightly beyond that which Policy TC11 envisaged but I consider there are sound planning and design reasons for that departure which I am therefore happy to support.

(e) The riverside environment: (i) the impact of the proposed parking court on the Beech tree subject of Tree Preservation Order, (ii) ensuring appropriate access to enhanced riverside environment public space and (iii) ensuring appropriate public access through the proposed parking court

185. The applicant's provision of a riverside parking court at the south-western corner of the site is a direct response to Members' concerns about car parking and the emerging aspiration to provide 1 parking space per flat as a minimum standard (which is now the proposal in Policy TRA3(a) of the regulation 19 consultation version of the Ashford Local Plan 2030). At pre-application stage the applicant's proposals involved 0.7 spaces per flat and the scheme now proposes 0.91 spaces per flat.
186. Whilst I do not have any objection to the proposed parking court in the context of the scheme, and I agree with the approach to visually softening the parking court and its hinterland by fresh tree planting, climbing plants and shrubs, my preference would have been for this corner of the application site to have a more natural softer and undeveloped landscape riverside character.
187. This is particularly the case in respect of the long term health of a large Beech tree that is subject of Tree Preservation Order. As deposited, the plans shown its removal as part of the proposed parking court. The tree is close to the boundary of the former Travis Perkins site immediately to the west of the proposed parking court which is subject of an application for redevelopment.
188. Of particular note is that the application for that neighbouring scheme includes an arboricultural report that acknowledges that the Beech tree's root protection area straddles the boundary between the two sites and is presently partly compromised by an area of concrete relating to a building. The report contends that with careful siting of a new building to the west, the impact on the root system of the Beech tree would not be worsened.
189. However, the application as deposited categorises the same tree as having a stunted form with possible root decay and being a 'Class B' rather than 'Class A' specimen and the applicant's arboricultural report proposes that the tree be removed. This is shown on the application drawings. I have drawn the applicant's attention to the differences between the specialists and my general desire to see the tree retained for its visual amenity value as part of the vista end-stop looking southwards along George Street and its microclimate and biodiversity value as a big canopy tree.

190. The applicant has subsequently responded that the report submitted by the applicant for adjacent land only considers the impacts of that adjacent scheme and not the cumulative impacts of both sets of proposals on the tree. It is suggested that taking into account those cumulative effects, the tree needs to be removed. The need for the hardstanding to provide access to surface level car parking is cited as being unavoidable. It is suggested that proposed tree planting as part of the development would provide a net uplift in the quantity and quality of trees overall.
191. Notwithstanding the approach taken in this part of the site to boost car parking numbers, I do not believe the case has yet been satisfactorily made for the removal of the tree as is sought in the application. It is a large canopy tree with attendant visual, micro-climate modulation and biodiversity benefits. The applicant proposes porous paving to the car park which would be appropriate to the riverside context and also be best for the tree's roots. With roots being particularly important in the first 0.6m zone below ground it would be important to adopt a no-dig approach to the laying of porous paving: the potential to adopt this solution to the small parking court and avoid removing the tree has, however, not been indicated by the applicant as having been rigorously explored. The applicant has very recently suggested that two fastigiated trees in this area could be replaced with a larger specimen such as a Beech/Oak/Hornbeam/London Plane but my view is that this would be a sup-optimal solution and all ways in which the existing tree could remain need to be satisfactorily explored before agreeing to replacement planting.
192. Notwithstanding my comments further below in respect of car parking quantum, it is possible that some minor adjustment to the parking court could be made by relocating spaces elsewhere with resultant reduced need for the carrying out of hard surfacing within the root protection area. Accordingly, I propose that a planning condition requires the retention of the Beech Tree unless a more fulsome case (involving consideration of how the parking court could be created with minimal impact on the health of the tree) has been made to the Council for its removal.
193. The pedestrian movement diagram on Page 50 of the applicant's Design & Access Statement does not show pedestrian movement through the parking court (in contrast to the cyclist movement route then shown on page 51 of the Statement) but I take this to be an error. I consider both types of movement are important to secure through this space in order to create an accessible connected and healthy environment;-
- (i) for existing residents (wishing to walk/cycle to Victoria Road and the superstore and brewery) and
- (ii) residential and commercial occupiers of the proposed scheme (walk/cycle

to work and walk/cycle to the green corridor environment and Victoria Park further to the west).

194. Had a parking court not been part of the application then I would have sought a minimum 3m wide combined footway/cycleway through the area in question to connect the similar riverside route with the southern end of George Street to deliver the aforementioned connectivity benefits. Although I accept that there would be no reason to physically demarcate such a route through the slow speed vehicle manoeuvring area that would run through the centre of the proposed park court, I consider that access over this land for pedestrians and cyclists needs to be secured through a planning obligation.

(f) Whether the residential development proposals south of Victoria Road would provide sufficient on-site public open space to meet the needs of residents

195. The Open Spaces Team request for contributions is based on the Council's adopted Public Green Spaces and Water Environment SPD 2012.
196. The assessment made does not, however, take into account the residents' only hard, soft and water landscaped communal space forming the podium (a substantial space c.1,689 sq.m in extent) or the proposed riverside public open space additions along the northern side of the existing riverside footway/cycleway (c.651 sq.m discounting the depicted SUDs swale).
197. In my opinion, there is a reasonable case for inclusion of both as on-site contributions towards the overall open space needs of the proposed occupiers. Notwithstanding this point and the potential to diminish the extent of the contribution sought, the applicant's ability to fund the full range of contributions sought by the Open Spaces Team is, however a different matter and is dealt with further below related to matters of development viability.

(g) The acceptability of the proposals south of Victoria Road on the amenities enjoyed by existing residents

198. There are no existing homes adjacent to the site. The nearest homes to the west of this part of the application site, involving the converted upper floors of the Silcocks' building on the northern side of Victoria Crescent, would be approximately 60m distant from Wing A of the 'Build to Rent' block. The nearest homes to the west of the site on the southern side of Victoria Crescent would be approximately 80m distant from the same Wing with the vacant Travis Perkins industrial building occupying land in between. I do not therefore consider that there would be any adverse direct impact on the level of amenity enjoyed by residents of those existing homes as a result of the application proposals.

199. I understand the concerns raised by residents and VBRAG in respect of the local highway network and on-street parking.
200. The acceptability of the scheme in highways impact and parking quantum terms is dealt with specifically further below. The applicant's Transport Assessment is considered robust and takes into account proposed local highway network improvements at nearby signalised junctions. A planning condition is proposed to ensure that these necessary capacity improvements take place before an inappropriate quantum of traffic producing development can be occupied.
201. In respect of residents' parking scheme on-street spaces, the occupiers of the proposed market sale and rented apartments would be ineligible for Council permits and so there should be no adverse implications arising from on the availability of the resource for existing residents. The level of on-site parking provision for the development exceeds adopted Council policy and as the site is located in an urban town centre environment close to public transport it is likely that some residents would choose not have a car.
202. I appreciate that the form of development is very different from the generally 2-storey traditional style of homes located on Victoria Crescent and on the frontage to Victoria Road near the Primary School and that some residents and VBRAG are uncomfortable with that. However, the scale and intensity of development at the eastern end of Victoria Road is as envisaged as being appropriate for the area in Council local planning policies for a significant period of time and before the adoption of the TCAAP which continues the Policy base for that vision. The approach also aligns with the Cabinet Paper in 2015 wherein the benefits of stimulating the number of people living in (and helping support town centre facilities in the process) was highlighted. This approach is taken forward in the draft policies in the proposed Ashford Local Plan.
203. For the reasons that I have set out above, I consider that the design approach is an acceptable one and that the amenities of existing residents would not be adversely affected. As such, I conclude that the proposal would accord with the provisions of Policies CS1, CS9 and CS15 of the Core Strategy 2008, Policies TC1 and TC11 of the TCAAP 2010 and draft policies SP1 and SP6 of the Ashford Local Plan.
204. The planning conditions that are proposed will help ensure that appropriate arrangements are agreed and put in place to deal with construction phase activity, appropriate remediation and subsequent operation of the commercial uses in a manner that would create a harmonious relationship between new development and existing homes.

(h) Whether the proposals are acceptable in terms of contamination, flooding, byelaw margins, approach to managing surface water drainage and ecology

205. In respect of any necessary site remediation through historic pollution, the applicant's proposals are acceptable. The matter can be controlled by planning conditions.
206. In respect of flooding, the Environment Agency is satisfied that the safety of future residents would be provided for as the lower ground floor riverside apartments would be at 38.7m AOD from the plans provided and that is in excess of the predicted 1%+climate change flood level of 37.52m AOD. I agree with the Agency that the primary means of access and egress from the riverside units is way from the river which would, in a flooding emergency of unforeseen magnitude, assist residents with a safe exit to higher ground. Although passing reference is made in the Agency's comments to surface water drainage being considered acceptable by others, this is an error as further material needs to be submitted in order to reach a conclusion on the matter as I identify further below.
207. The applicant's proposals fall outside the Environment Agency's 8m byelaw margin and so the proposals would have no effect on the Agency's ability to maintain this stretch of the River Stour. I note that the Agency welcome measures that would help improve habitat and setting for the river. The applicant's proposed new planting (and specific species) of a linear public open space addition to the existing riverside corridor, as well as planting in the nearby parking court, would all help achieve the objectives of adopted development plan policies dealing with this environment and enhancing biodiversity.
208. The application includes a number of approaches that would be appropriate as part of a sustainable urban drainage strategy, such as the use of green roofs to the roofs of the residential apartment blocks south of Victoria Road, rills on the podium space serving the southernmost block and along part of the proposed George Street parking bays and a proposed swale in the riverside public open space.
209. However, as the Council's Project Office Delivery Engineer and KCC both identify, the material submitted to date is inadequate to allow a conclusion on the acceptability of the proposals. No indicative drainage layout has been provided. The quantum of storage space with the proposed green roofs is unclear. The discharge rate quoted by the applicant in the supporting documents (51.2 l/s) is considered unlikely to be actually able to be accommodated by the diameter of the existing public surface water sewer. Whilst some discharge into pipework might be acceptable, the feasibility of a controlled outfall of rainwater to the River Stour should also be investigated by the applicant and discussed with this Council, Kent County Council and the

Environment Agency. My recommendation takes the need to resolve the acceptability of the proposed approach to surface water drainage onto account.

210. In respect of ecology, KCC Ecology has requested further survey work be carried out to inform assessment of the applicant's proposed mitigation. Phase II survey work has recently been submitted by the applicant together with an Addendum Report to the Ecological Appraisal deposited with the application. My Recommendation takes into account the unresolved outcome of this aspect of scheme assessment at the time of report preparation. I hope to be able to provide Members with an update at the Committee meeting.
211. In conclusion, I am satisfied that subject to resolution of outstanding matters involving surface water drainage and ecology the proposal would be acceptable and would not conflict with Ashford Borough Local Plan Policies EN13 (Green Corridors) and EN14 (Land adjoining the Green Corridors), Policy CS11(Biodiversity and Geological Conservation), Policy TC26 (Green Corridors in the Town Centre Corridors in the Town Centre) and emerging Ashford Local Plan Policies ENV1 (Biodiversity) and ENV2 (Ashford Green Corridor).

(i) Sustainable design and construction

212. As of the 18th July 2016, Policy CS10 of the adopted Core Strategy 2008 (Sustainable Design and Construction) and guidance contained in the Council's associated Sustainable Design & Construction SPD 2012 is no longer being applied by the Council in respect of applications for residential development. This approach follows the Housing and Planning Act receiving royal assent in May 2016 and the move to delivery energy efficient homes through the Building Regulations rather than through the planning process. The Council's policies are clearly out of date with current legislation and this is a significant material consideration which would outweigh the primacy of the development plan in decision making. The position is reflected in the Council's draft Ashford Local Plan which does not propose any planning policies that seek additional energy efficiency or carbon reduction standards over and above the requirements of the Building Regulations.
213. With regard to water efficiency, the Council's draft Ashford Local Plan requires residential development to comply with Policy ENV7 'Water Efficiency' of the which sets out that all new residential development must achieve, as a minimum, the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day. I propose that this is the subject of a planning condition.
214. In respect of applications for all major non-residential development, the approach set out in Policy CS10 and the associated SPD continues to apply.

The commercial units and brewery will be required to achieve a minimum 'very good' BREEAM (or equivalent quality assured scheme) standard. This can form a planning condition with the requirement that any remaining carbon emissions be captured through a carbon off-setting payment as per part (C) of Policy CS10 secured through an obligation in a s.106 agreement.

215. In respect of the brewery, the unusual nature of the building containing a large area of unheated brewing space creates a number of challenges and so the standard wording has been altered through discussion with the applicant's design team to enable the overall 'very good' standard to be achieved and properly verified by an appropriate style of report following completion.

(j) Car parking serving the brewery and associated commuted parking payments

216. The starting point is the standards as set out in Supplementary Planning Guidance Note 4 (SPG4) to the Kent and Medway Structure Plan 2006. The standards are maximum based and have been adopted by KCC and used by KH&T for many years.

217. The brewery is a mixed sui-generis use. It has a small ground floor A1 shop (89sqm), larger first floor A3 food and beverage area (458sqm) and large ground level B2 manufacturing component (1,569sqm).

218. Using SPG4 maximum based Parking Standards suggests the following:-

- A1 maximum 1 space per 25sqm,
- A3 maximum 1 space per 6sqm, and
- B2 maximum 1space per 50sqm.

219. The maximum that could therefore be sought would be:-

- A1 x 4 spaces,
- A3 x76 spaces, and
- B2 x 31 spaces.

220. This would give a theoretical maximum total of 111 parking spaces serving the proposed facility whereas 21 on-site spaces are proposed. Five points need to be considered in this respect.

221. First, SPG4 is 'maximum' and not 'minimum' based. The maximum is used for the application of commuted sums for off-site parking provision as use of minimum would not realise any commuted sums. This is to allow the availability of other parking/transportation options to be taken into account.

222. Second, it should be noted that whilst Policy TRA3(b) of the Ashford Local Plan 2030 Consultation Draft 2016 proposes these per sq.m standards as 'the standard' (i.e. a minimum standard approach), limited weight can be applied to this Policy alongside the provisions of the adopted development plan because the Plan is emerging planning policy yet to be scrutinised through 'Examination in Public'.
223. Third, the applicant is proposing that staff parking is provided at the storage warehouse located further to the west on Victoria Road. That proposal has the practical impact of reducing long stay staff parking demand on existing off-site car parking in the town centre, all of which are within a short walking distance from the site.
224. This off-site provision has the ability to provide an employee parking resource close to the brewery site meeting much of the 31 parking spaces applied to the B2 element of the brewery if one takes a maximum based approach to parking. I have requested further details of capacity from the agent. Securing this off-site resource would reduce staff car parking burdens on existing town centre car parks (and their focus on providing parking for people using shops and services). Accordingly, I propose that this area of land is identified and retained through planning condition as a way that the brewery proposal can reasonably help meet its needs. With 21 on-site spaces and 31 off-site spaces available to Chapel Down this would result in 52 spaces being secured i.e. just under 50% of need using a maximum based approach. The approach highlighted in the TCAAP at paragraph 3.49 is for 50% of overall parking to be commuted off-site and so the proposals accord with that overall approach with existing and proposed town centre car parks a short distance away.
225. Fourth, the location of the site close to bus stops and the railway station is such that it is reasonable to assume that some employees and visitors would utilise modes other than the private car to travel. There is currently capacity in existing car parks to serve the additional demand. The Council is looking at ways to increase the number of car parks available (and see below).
226. Fifth, the land forming the proposed brewery site is spatially finite within an urban town centre area. A further 90 parking spaces ($111-21=90$) if one wished to apply a maximum approach could simply not be absorbed within the proposed site layout. Theoretically, the brewery site could be expanded to replace the superstore proposal subject of application 16/01167/AS. However, this approach is not proposed. In any event, I would be unlikely to be able to support it as in my opinion it would weaken the sense of Victoria Road as an enclosed urban boulevard with gaps between buildings enclosing the street being minimised wherever possible in order to reinforce that urban character. The design approach taken for the brewery and superstore site has been to maximise built frontage on the northern side of the street and provide a coherent boundary treatment that would counteract the built frontage gap

between the two buildings as part of creating the enclosed urban boulevard forming the Council's adopted vision for the South East Expansion Quarter as identified in Policies TC10 and TC11 of the TCAAP 2010.

227. Accordingly, I conclude that the quantum of parking proposed in the application is acceptable. The design approach taken works reasonably with the layout and the enforced set-back from Victoria Road due to the potential presence of underground services.
228. For the purposes of calculating off-site commuted parking payments, Policy TC22 of the TCAAP identifies the quantum and Policy TC25 identifies the cost at 2006 prices. These sums are aimed at increasing Town Centre parking availability off-site as outlined above.
229. Adopted Policy TC22 of the TCAAP identifies that in respect of retailing a more stringent maximum standard of 1 parking space per 30 sq.m A1 space would apply before a new multi-storey and park & ride are operational. This remains the present position. It is also stated that that retail development will be approached from a maximum standard position and progressively reduced as the town centre car parking strategy is delivered. Licensed restaurants have previously been taken as not falling within the ambit of Policy TC22. Class B2 uses are not covered by the Policy at all.
230. The following approach to the Class A1 Use Class element of the brewery scheme therefore applies;
- A1 x 3 spaces = the total for the purposes of commuted TC25 calculation.
231. Policy TC25 of the TCAAP takes forward Policy TC22. It sets out an approach for non-operational car parking to be provided off-site via commuted payments with significant delivery on-site being identified as inappropriate. Park and Ride (mentioned in the Policy at £5,000 per space at 2006 prices) is not proceeding in Ashford for the foreseeable future but multi-storey car parking is mentioned at £10,000 per space at 2006 prices.
232. Policy TC25 is on the basis of a minimum 90% of maximum provision off-site via commuted payments (with a 70 multi-storey/30 Park & Ride split) i.e. most of the Policy TC22 derived parking to be delivered off-site in two possible forms.
233. The Policy TC25 calculation is thus as follows;-
- (i) $90\% \times 3 = 2.7$.
- (ii) Multi-storey commuted = $70\% \times 2.7 = 1.89 \times £10,000 = £18,900$

(iii) Park and ride commuted = $30\% \times 2.7 = 0.81 \times \text{£}5,000 = \text{£}4,050$

(iv) Brewery commuted sum total = index-linked £22,950 at 2006 prices

234. Subject to the payment of this sum through an obligation in a s.106 agreement, I conclude that the proposal would be in accordance with the provisions of Policies TC22 and TC25 of the TCAAP 2010. As I have indicated above, there are a number of existing public car parks available locally that would be able to cater as an off-site parking resource.

(k) Car parking serving the x 3 commercial units and associated commuted parking payments

235. Again, the starting point is the maximum based adopted standards as set out in Supplementary Planning Guidance Note 4 (SPG4) to the Kent and Medway Structure Plan 2006.

236. The x 3 commercial units are proposed as flexible A1/A2/B1a office units totalling 209 sq.m.

237. Using SPG4 maximum based standards of:-

- B1a (less than 500 sq.m) 1 space per 20 sq.m
- A1 (non-food retail) 1 space per 25 sq.m
- A2 1 space per 20 sq.m

238. The most appropriate standard to use for the flexibility sought by the applicant (to include A2 and B1a uses) would, in my opinion, be 1 space per 20 sq.m. This would give a maximum total of 10 spaces.

239. Policy TC22 identifies that retailing will apply a more stringent maximum standard of 1:30 for office and retail development before a new multi-storey car park and park & ride are operational.

240. The following approach to the ground floor 209 sq.m Class A1/A2 and B1a Use Class element of the Victoria Road frontage therefore applies;

A1/B1a x 7 spaces = the total for the purposes of commuted TC25 calculation.

241. Policy TC25 of the TCAAP takes forward Policy TC22. It sets out an approach for non-operational car parking to be provided off-site via commuted payments with significant delivery on-site being identified as inappropriate. Park and Ride (mentioned in the Policy at £5,000 per space at 2006 prices) is not proceeding in Ashford for the foreseeable future but multi-storey car parking is mentioned at £10,000 per space at 2006 prices.

242. Policy TC25 is on the basis of a minimum 90% of maximum provision off-site via commuted payments (with a 70 multi-storey/30 Park & Ride split) i.e. most of the Policy TC22 derived parking to be delivered off-site in two possible forms.
243. The Policy TC25 calculation is thus as follows;-
- (i) $90\% \times 7 = 6.3$
 - (ii) Multi-storey commuted = $70\% \times 6.3 = 4.41 \times £10,000 = £44,100$
 - (iii) Park and ride commuted = $30\% \times 6.3 = 1.89 \times £5,000 = £9,450$
 - (iv) $\times 3$ small retail commuted sum total = index-linked £53,550 at 2006 prices
244. Subject to the payment of this sum through an obligation in a s.106 agreement, I conclude that the proposal would be in accordance with the provisions of Policies TC22 and TC25 of the TCAAP 2010.

(l) Car parking quantum serving apartments and additional measures to support the movement needs of residents

245. The applicant has improved car parking provision to 196 spaces taking on board Members' comments at pre-application stage. The scheme has therefore risen from c.0.7 spaces per apartment to 0.91 spaces per apartment.
246. The level of provision meets the required quantum set out in the Council's adopted Residential Parking and Design Guidance SPD 2010. The 0.91 space provision is now very close to the 1 space per apartment approach taken in Policy TRA3(a) of the draft Ashford Local Plan. There are a number of smaller spaces that are capable of accommodating parking for powered two-wheel vehicles.
247. The under-croft car park and surface parking areas do not, in my opinion have any significant capacity to absorb further parking spaces without undermining the beneficial good design aspects of the scheme.
248. An acceptable level of secure cycle parking is provided.
249. Accordingly, my conclusion is that the car and cycle parking proposal is acceptable and would accord with Policies TP6 of the Ashford Borough Local, Policy TP15 of the Core Strategy 2008, Policy TC24 of the Town Centre Area Action Plan 2010 and would be acceptably close to the draft standard in Policy TRA3(a) of the Ashford Local Plan.

250. I would wish the applicant to explore the viability of establishing a residents' car club to assist those with periodic need for a car to travel for non-everyday journeys. That has the potential to be an attractive addition to the lifestyle ethos informing other aspects of the design such as communal facilities as well as reduce demand for parking and it forms part of 'Toolkit 4: Complementary Approaches' set out in the Council's adopted Residential Parking and Design Guidance SPD 2010. I propose that this is dealt with by condition.

(m) The acceptability of the traffic impacts arising from the development

251. The application includes a Transport Assessment and has been considered by Kent Highways & Transportation. The conclusion reached is that the findings of the Assessment are accepted and that the local highway network would experience a modest increase in traffic volume with minimal impact on the nearby junctions likely to be affected by that volume.
252. Furthermore, the impact has been assessed on the basis of the combined traffic expected to be generated from all 3 separate planning applications made by the same applicant covering the redevelopment of part of Victoria Way East.
253. The application in respect of the former Powergen site (15/01671/AS) also considered these 3 development proposals as a sensitivity test within its assessment of the impacts on the local highway network and it concluded that with the planned highway improvements to the junctions of Beaver Road/Victoria Road, and Beaver Road/Elwick Road, would have capacity to accommodate all the proposed developments.
254. I confirm that funding for these planned highway improvements – and restrictions on the quantum of development that can be delivered prior to their completion available for use - will be secured in full by a combination of s.106 agreement and a planning condition attached to the permission for the redevelopment of the former Powergen site. A similar condition restricting the quantum of residential development that can be occupied prior to those works being carried out is proposed in relation to this application.
255. Subject to the local highway improvements being carried out, my conclusion is that the proposal is acceptable in traffic impact terms and therefore would be in accordance with Policies CS1, CS2, CS8 and CS15 of the Core Strategy 2008 as well as Policy TRA7 of the draft Ashford Local Plan.

(n) Mitigating the impacts of proposed development: the policy starting point for contributions secured by s.106 agreement

256. Policy CS18 of the Core Strategy requires that infrastructure and facilities to meet the needs generated by the development should be provided. The same approach is taken in proposed policies IMP1, IMP2 and COM1 of the draft Ashford Borough Local Plan.
257. Prior to deposit of the application the applicant identified that the development would be unable to bear the costs of contributions likely to be sought by the Council.
258. The starting point in terms of s.106 contribution requests pursuant to development plan policy is as follows (ranked in magnitude per organisation):-
- KCC – primary and secondary education (£136,901)
 - KCC – library book-stock (£45,128)
 - KCC – social care (£10,164)
 - KCC – community learning (£7,441)
 - KCC – youth service (£6028)

 - ABC – sports/informal natural space/play/allotments/strategic parks/cemeteries (c.£1,876,014)
 - ABC – public realm improvements around highway changes (£130,000)
 - ABC – commuted parking (c.£76,500)
 - ABC - quality monitoring (£3,000)
 - ABC – voluntary sector capacity building (£30,000)
 - ABC – public art (£40,000)
 - ABC – bus shelters (£25,000)
 - ABC – s.106 monitoring (£250 p.a. duration of build)

It should be noted that the above does not relate to any carbon off-setting sum that might be required to be captured in relation to the non-residential elements of the application. An s.106 agreement would provide the mechanism for the calculation and payment of that sum arising from the outcome of further work pursuant to a Policy CS10 sustainable design and construction planning condition.

In addition, the contribution requested towards outbound bus shelters would be likely to be of primary benefit to those working at the development i.e. the small commercial units, the superstore and the brewery rather than residents of the development. I deal with mitigating the impact of the proposed hotel and proposed superstore in the separate reports on those applications in the light of the brewery not being able to make a proportionate contribution.

I agree with the applicant's layout plans that the entrance route from Victoria Road along the eastern side the frontage block represents a strong on-site position for the provision of public art and that a feature here would benefit the quality of that pedestrian linkage and sit well with the proposed buildings. The public art contribution of £40,000 requested by the Head of Culture would therefore actually be partly subsumed by that which the applicant has highlighted is intended as part of a well-designed scheme.

(o) The applicant's viability case

259. The applicant has submitted a viability case in relation to s.106 contributions with the application and has funded its independent expert review. Additional commercially sensitive and confidential information has also been provided to the independent expert alongside further clarification on costs, approach to yields and the relationship of the residential element with the brewery element (which has been confirmed as involving no cross-subsidy).

The advice received from the Council's viability consultant, Bespoke PC, is that the applicant's viability case is accepted. The advice from Bespoke PC to the Council is that the development cannot meet the normal range of contributions to fully mitigate its impacts even by assuming a lower build cost than that used by the applicant's consultants.

(p) Viability: conclusion & negotiated s.106 contributions

260. It is appropriate to look at a planning justification for recommending approval of a scheme that would not meet its full share of developer contributions. It is an imperative for the Council that regeneration schemes in the town centre come forward as quickly as possible, as reflected in the Head of Planning and Development's Report to Cabinet 10/09/2015 ('Helping to deliver key investments in the town centre').
261. The town centre has suffered a decline in the past few years and the retail market is unlikely to be strong enough on its own to generate investment in the short term. A way of increasing the amount of money spent in the town centre is to increase the number of people using it. The application site, with pedestrian access directly into the town centre core is viewed as one of the key drivers for improving spend in the town centre and attracting further inward investment. Furthermore, the younger demographic likely to be attracted to a Private Rented Sector (PRS) scheme is typically high spending in the local area, This would help to boost the town centre and the range of attractions that it offers. To date, new housing development, particularly in the town centre has been slow to come forward and the continuation of housing growth is a significant material consideration particularly given the guidance in the NPPF.

262. The Council's expert viability consultant agrees that the proposal is at its limit in terms of the s.106 contributions that are being offered. Given NPPF advice in respect of PRS housing (in terms of both the actual form of accommodation and the economics of providing it), and the aforementioned Cabinet Report, I consider that there are appropriate material considerations in this instance to forego affordable housing and to recommend approval of the proposal notwithstanding that it cannot meet the full range of developer contributions arising from adopted planning policies.
263. Members will be aware that Policy SP5 (Ashford Town Centre) in the draft Ashford Local Plan states;-
- 'Where a development proposal comes forward that clearly demonstrates it would meet the vision and design quality set for the town centre but is of marginal viability, the Council (taking specialist advice) will explore a flexible approach to seek to reduce the costs of contributions to infrastructure and affordable housing, providing the resulting proposal does not create a serious and unacceptable level of impact.'*
264. It is important to emphasise that the lack of full s.106 contributions would not come at the expense of the quality of the development. The proposed development has been the subject of extended negotiations, including Design Review and pre-application presentations to Members.
265. Whilst the outcome of the viability review is obviously disappointing, I have discussed with the applicant the ability for payment of targeted significantly limited s.106 agreement contributions. The applicant has confirmed the following;-
- 'We are very bothered about the social and economic regeneration which we can bring to Ashford across both the north and south sites. Having assessed the numbers, we can offer that we can contribute £250,000 towards s.106 costs for the north and south sites'.*
266. In the specific circumstances of this case, I consider that this is a reasonable gesture on the applicant's part and one that I am prepared to recommend.
267. Discussions with KCC have identified that, forced to prioritise, education is considered the most important area for the scheme to help fund. A lack of local school places would deter people considering occupying the scheme as a good place to live.
268. In respect of ABC contributions, those requested from the Open Spaces Team are substantial but the Team's priority would be towards contributions helping improve the quality and usability of public open space in Victoria Park which is a short walk from the site and so would be of direct benefit to the

occupants of the proposed development. I therefore propose the following split to the £250,000 offered;-

| | |
|--|-----------------|
| (i) KCC - primary and secondary education | £100,000 |
| (ii) ABC – public open space enhancements in Victoria Park | <u>£150,000</u> |
| Total | £250,000 |

269. A further matter discussed with the applicant is that of retaining the 'Build to Rent' homes in the application for a minimum long term period bearing in mind that the application contains no traditional affordable housing and the applicant has referenced it as 'an affordable alternative to market housing'. However, the applicant considers that an obligation to retain the Build to Rent status for 15 years would make private rented sector funding discussions for this component of the proposal more difficult. Therefore, the applicant proposes that there is no such restriction as an obligation in the s.106 agreement.
270. Whilst this is not ideal, I am mindful that proposed Policy HOU1 in the draft Ashford Local Plan identifies that in Ashford Town flatted development will not be required to provide any form of affordable housing.
271. The early implementation of the development south of Victoria Road (i.e. the 216 home component) would, in my judgement, have a number of positive benefits for the town centre as a whole. As a high quality residential development, it would allow the market to continue to strengthen thus having very positive benefits for the town as a whole. The commercial components of the scheme would create jobs, provide active ground floor frontage to Victoria Road and, specifically in the case of the proposed brewery, create an attraction likely to be popular to residents of the Borough and visitors thus further bolstering the importance of the town centre as an attractive destination due to the existence of an enhanced range of retail, restaurant and leisure facilities.
272. My recommendation therefore takes the following approach to achieving early implementation;-
- (a) a planning condition that defacto requires early commencement of the development south of Victoria Road within 2 years of the date the permission is granted,
 - (b) a s.106 obligation that requires that the completion (to available for occupation standard) of the development south of Victoria Road within 5 years of commencement, and
 - (c) notice of commencement of development south of Victoria Road to be served on the Council pursuant to a s.106 obligation.

273. My conclusion is therefore that in the circumstances of the case there is a planning justification for recommending the grant of permission with significantly reduced s.106 contributions. The proposed planning conditions set out in the report represent a first draft and I propose to share these with the applicant in accordance with good practice. I will set out in the Update Report any subsequent major changes.

Planning Obligations

274. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

275. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Human Rights Issues

276. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

277. In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

1. The proposal involves the redevelopment of a key brownfield site at the eastern entrance to Victoria Road known as Victoria Way East, forming part of the Southern Expansion Quarter. The redevelopment of this area for a mixture of uses, including residential and commercial, forms an important part of the Council's TCAAP 2010 Policies TC10 and TC11 of the TCAAP indicate that an urban development appropriate to the upgraded and enhanced Victoria Road is appropriate with an emphasis on strong urban enclosure to the street and a form of development that has an appropriate relationship with the green corridor through which the River Stour passes further to the south.
2. I consider that the design quality of the residential and x 3 small commercial units proposal is acceptable and would accord with development plan policies identifying the importance of high quality design and place making and, in particular, Policy EN14 of the Ashford Borough Local Plan 2000, Policies CS1 and CS9 of the Core Strategy 2008, Policies TC1, TC10, TC11 and TC 26 of the TCAAP 2010.
3. The scale of development - involving an area of 7th storey - is slightly beyond that which the Policy TC11 of the TCAAP envisaged but I consider there are sound planning and design reasons for that minor departure which I am therefore happy to support. The 7th storey area does not represent a departure from the provisions of the development plan as a whole. The interface of the development with the green corridor is acceptable with development stepping down as envisaged in the Policy.
4. The design of the proposed brewery is acceptable in my opinion and would help create a strong frontage to Victoria Road. Although a siting closer to the northern side of Victoria Road would have been preferred, the site layout is a response to uncertainties in respect of below ground services and the set-back enables the creation of an interesting entrance forecourt with sitting out space. The architectural treatment of the brewery works well in my opinion to create an interesting active frontage to Victoria Road. The corner element containing facilities that would be open to the public is striking architecturally and has the ability to become a local landmark framing the corner to the street junction. Along with other development proposed by the applicant, it has the ability to help create a sense of gateway into Victoria Road.
5. The impact of the brewery on the amenities of the area has been considered. Matters of noise are capable of being controlled through planning conditions relating to plant and equipment and hours of servicing (and any necessary measures related to night-time servicing such as an acoustic fence). Lighting can be controlled by condition to reduce light pollution and disturbance. Odours from the brewery are unlikely in normal circumstances and the

proposals can be the subject of further refinement through discussion with officers in order to help minimise any odour impacts as far as possible.

6. The proposals are acceptable in relation to contamination and flooding. My recommendation deals with the need to resolve the proposal in respect of sustainable urban drainage and ecology.
7. The proposals perform acceptably in relation to the Council's Sustainable Design and Construction requirements for non-residential uses.
8. Car parking provision for residents accords with and exceeds adopted Council policies. Occupiers of the development would be ineligible for on-street parking permits and so the proposal would not adversely impact on the residents' parking scheme in operation in Victoria Crescent. The proposals would not have any adverse impacts on the amenities enjoyed by residents of Victoria Crescent. I consider that the scale relationships between that which is proposed and that which exists are acceptable given the intensity of redevelopment envisaged by adopted local planning policy for this area over many years.
9. The traffic impacts of the proposal have been considered by the local highway authority and have been found to be acceptable. Improvements to the local highway network in terms of capacity are proposed by others. A planning condition can be used to restrict the quantum of development that might be able to be beneficially occupied before those highway works are fully open and available for use.
10. The application cannot meet the full range of contributions that would normally be expected pursuant to Policy CS18 of the adopted Core Strategy. The applicant has submitted a viability case which has been the subject of expert independent scrutiny. The inability of the proposal to fully meet requested contributions is accepted. The applicant proposes a s.106 contribution as a gesture which is proposed to be split between this Council and KCC and to be used for key priorities (education and contribution towards enhancement of key public open spaces near to the site). The inability of the proposal to meet contributions in full would represent a departure from the provisions of Policy CS18 but not the provisions of the development plan as a whole. The benefits of the proposal to town centre regeneration are significant and in the light of national planning advice I consider that planning permission should be granted with the suggested approach of conditions and obligations being used to secure early delivery of the proposals.

Recommendation

- (a) Subject to receipt of proposals from the applicant in respect of ecological mitigation that, following consultation with KCC Ecology, are considered acceptable, and**
 - (b) Subject to the receipt of further information from the applicant in respect of the proposed approach to surface water drainage (including indicative drainage layout, quantum of on-site storage including the identified green roofs to buildings, ability to achieve acceptable discharge rates with existing pipe diameters and the ability to outfall by a controlled rate to the River Stour) that, following consultation with KCC Flooding, the Council's Project Office Delivery Engineer and the Environment Agency, are considered acceptable, and**
 - (c) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
 - a. Carbon off-setting in relation to the x 3 small commercial units and brewery**
 - b. contribution to primary and secondary education**
 - c. contribution towards public open space enhancements at Victoria Park**
 - d. securing sufficient public pedestrian and cycle access through the riverside parking court to connect the southern end of George Street with the combined public footway/cycleway beyond the southern boundary of the application site**
 - e. notice of commencement of development on the southern side of Victoria Road being served on the Council**
 - f. completion (to available for occupation standard) of the development south of Victoria Road within 5 years of commencement**
- as detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design in consultation with the Corporate Director (Law & Governance), with delegated authority to the Head of Development Strategic Sites and Design to make or approve changes to the planning obligations and planning conditions (including adding additional planning conditions/obligations or deleting planning conditions/obligations as necessary), as she sees fit**

(d) Grant planning permission

Subject to the following conditions and Notes;

Land North of Victoria Road (brewery/shop/bar/restaurant – B2/A1/A3/A4)

Implementation period

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Materials

2. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

Compliance with approved plans

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

4. The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

Reason: In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

5. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a coordinated, comprehensive form of development that delivers the envisaged form of place making and in the interest of public engagement.

Contamination

6. Prior to the commencement of development, a detailed remediation scheme to ensure that that part of the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance criteria, a schedule of works and site management protocols.

The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation.

The development within the relevant plot shall thereafter be carried out in accordance with the approved remediation scheme, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of the remediation scheme and prior to occupation of any building, a verification report, that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected plot (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the

Local Planning Authority for, a remediation strategy for the relevant plot detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To ensure the protection of controlled waters.

Fine detail

8. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-

- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
- (b) rainwater goods

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

Parking/Highways

9. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reasons: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

10. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reasons: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

11. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of highway safety and convenience.

12. The access details shown on the approved plans, including off-site footway works to replace the redundant vehicle access, shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any buildings hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

Reasons: In the interests of highway safety.

13. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

14. No building shall be occupied or the approved use commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of highway safety.

15. The pedestrian visibility splays shown on the approved drawings shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained with no obstruction over 0.6 m above the access footway level.

Reason: In the interests of highway safety.

Use

16. The premises/site shall be used for the purposes specifically applied for and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality.

17. Opening hours
18. Servicing & acoustic fence

Landscaping

19. No development shall commence until full details of the soft landscape works have been submitted to and approved in writing by the Local Planning Authority.
- a) The full details of the soft landscape works to be submitted to the Local Planning Authority for its approval shall include the planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); details of the planting that is designed to create year round colour; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation and planting programme/timetable to ensure that all soft landscaping and planting is completed within 6 months of the completion of the development.
- b) The soft landscaping works shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area. Also, to ensure that ecological functionality and protected species population are not impacted by the proposed development and foraging and dispersal routes remain open and connected throughout construction and occupation.

20. If any trees and/or plants whether new or retained which form part of the soft landscape works approved by the Local Planning Authority die, are removed or become seriously damaged or diseased prior to the completion of the construction works or within a period of 5 years from the completion of

construction such trees and/or plants shall be replaced in the next available planting season with others of a similar size and species, unless the Local Planning Authority gives written consent otherwise.

Reason: In the interests of the amenity of the area

21. Prior to the commencement of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for the landscape areas and the timing of provision of management and maintenance of such areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the landscape management plan shall be carried out in accordance with the details approved by the Local Planning Authority unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area.

Sustainable construction

22. The development hereby approved shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Very Good' standard comprising the following minimum credit requirements:-

'Excellent' standard in respect of energy credits,

'Maximum standard in respect of water credits,

'Excellent standard in respect of materials credits, and

under criterion Ene4 (Low and Zero Carbon Technologies) (or subsequent equivalent criterion) 1 credit for a feasibility study and 2 credits for a 20% reduction in carbon emissions.

Unless otherwise agreed in writing by the Local Planning Authority, the following shall be submitted to and approved in writing by the Local Planning Authority within 3 months of work commencing on a given phase:-

A feasibility study to establish the most appropriate local low and zero carbon ("LZC") technologies to install and which shall be in accordance with the feasibility study requirements set out within BREEAM 2011 New Construction (or subsequent equivalent requirements),

Simplified Building Energy Model ("SBEM") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed,

A BREEAM 'Design Stage' report and related certification produced by a registered assessor, and

Details of the measures, LZC and other technologies to be used to achieve the BREEAM standard and credit requirements specified above.

Thereafter, the development shall be carried out in accordance with the approved report and details and the approved measures and LZC and other technologies for achieving the BREEAM standard and credit requirements specified above shall thereafter be retained in working order in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Unless otherwise agreed in writing by the Local Planning Authority, within three months of occupation of the new buildings hereby approved the applicant shall have submitted to and approved in writing, parts 0 and 0 below by the Local Planning Authority for that building:

SBEM calculations from a competent person stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions, and a BREEAM 'Post Construction Stage' report and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and the credits awarded under Ene4.

Reason: In order to (a) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (b) seek to achieve a carbon neutral development through sustainable design features and on-site low and/or zero carbon technologies and (c) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and NPPF.

Environmental Health

23. Full details of all measures to be taken to deal with the emission of dust, odours or vapours arising from the site (including to both the brewery and restaurant uses?) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use of the premises. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be

installed prior to the first use of the premises and shall be operated and retained in compliance with the approved scheme.

Reason: To prevent transmission of dust, vapours and odours into neighbouring premises to protect amenity.

24. No external lighting shown on the submitted plans shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

25. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the water environment.

26. No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

The submitted system shall be designed to

- (i) avoid any increase in flood risk,
- (ii) avoid any adverse impact on water quality,
- (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010.
- (iv) promote biodiversity,
- (v) enhance the landscape,

- (vi) improve public amenities,
- (vii) return the water to the natural drainage system as near to the source as possible and
- (viii) operate both during construction of the development and post-completion.

The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance).

The approved system shall be provided in accordance with the approved timetable. The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

If the proposed surface water discharge point is to be the existing public sewer the applicant must provide written confirmation from Southern Water of their agreement to the proposals.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20

Code of construction practice

27. Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority.

The code shall include,

- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)
- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)

- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- The arrangements for public consultation and liaison during the construction works

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

28. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of the area.

Archaeology

29. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Other

30. Prior to commencement of development the applicant shall provide written evidence to the Local Planning Authority that a formal process of approvals between the applicant and Network Rail/HS1 has been entered into and commenced. The approvals process shall accord with the processes set out in the Network Rail (High Speed) Outside Parties Development Handbook Document Reference C/05/OP/32/3002.

Reason: The planning application does not contain the detail needed to identify potential effects upon the integrity, safety, security, operation, maintenance and liabilities of HS1 and HS1 Property.

Land south of Victoria Road (216 residential units & 3 commercial units)

Implementation period

31. The development to which this permission relates on the land south of Victoria Road must be begun not later than the expiration of two years beginning with the date on which the permission is granted. The development shall thereafter be constructed and ready for occupation within 5 years from commencement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Materials

32. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

Compliance with approved plans

33. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

34. The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

Reason: In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

35. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a coordinated, comprehensive form of development that delivers the envisaged form of place making and in the interest of public engagement.

Contamination

36. Prior to the commencement of development in each plot, a detailed remediation scheme for the relevant plot to ensure that that part of the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance

criteria, a schedule of works and site management protocols.

The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation.

The development within the relevant plot shall thereafter be carried out in accordance with the approved remediation scheme, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of the remediation scheme for each plot and prior to occupation of any building within that plot, a verification report for the relevant plot, that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

37. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected plot (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy for the relevant plot detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To ensure the protection of controlled waters

Fine details

38. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-

- a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
- b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),
- c) 1:100 elevation detailing the locations of all expansion joints in facades.
- d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens,
- e) prior to installation - Details of any satellite dishes or antenna,
- f) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials),
- g) prior to installation - details of vents, louvres, extractor vents, external pipes, meters etc.
- h) prior to installation - Details of screens and windbreaks,
- i) prior to installation - 1:50 scale details of the parapet capping,
- j) prior to installation - Details of external entrance steps, handrails and balustrades

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

Parking/Highways

39. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reason: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

40. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reason: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

41. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

42. The access details shown on the approved plans, including off-site footway works to replace the redundant vehicle access, shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any buildings hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

Reasons: In the interests of highway safety.

43. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

44. No building shall be occupied or the approved use commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

Reason: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of highway safety.

45. The pedestrian visibility splays shown on the approved drawings shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained with no obstruction over 0.6 m above the access footway level.

Reason: In the interests of highway safety.

46. Before the first occupation of each plot the following works between that plot and the nearest highway to be adopted by the highways authority shall be completed,
- (a) Footways and/or footpaths, with the exception of the wearing course;
 - (b) Carriageways with the exception of the wearing course, including the provision of a turning facility beyond the dwelling, together with related:
 - i) highway drainage, including off-site works,
 - ii) junction visibility splays,
 - iii) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

47. Before the first occupation any apartment a timetable for the construction of the final wearing course of new footpaths and/or footways and carriageways shall have been submitted to and approved by the Local Planning Authority in writing. The final wearing course of such footpaths and/or footways and carriageways shall be constructed in accordance with the timetable as approved by the Local Planning Authority.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

Use

48. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

49. The commercial units hereby approved shall be used for the purposes specifically applied for and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality.

50. Opening hours commercial units

1. Working with the Applicant

Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant was provided with the opportunity to submit amendments to the scheme in order to address issues that I and others raised

- the applicant/ agent responded to issues and feedback through clarification, further survey work and the submission of amended plans
- the application was dealt with/approved without delay.
- the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Highways

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Network rail

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure

- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts Asset Protection Kent AssetProtectionKent@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/aspx/1538.aspx.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 16/01157AS.

Contact Officer: Roland Mills

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Annex 1

d:se

Design Review

**North & South
Sites
Victoria Way
Ashford**

29 January 2016



North & South Sites, Victoria Way, Ashford

Reference: 533-844

Report of Design Review Meeting

Date: 15 January 2016

Location: Ashford Borough Council, Civic Centre

Panel

Liz Gibney (Chair), Urban Designer

Don Gray, Architect

Luke Engleback, Landscape Architect

Robert Huxford, Public Realm/Urban Designer

Richard Portchmouth, Architect

Robert Rummey, Architect/Landscape Architect/Urban Designer

Other Attendees

Elizabeth Wrigley, Design South East

Richard Alderton, Ashford Borough Council

Mark Chaplin, Ashford Borough Council

Lois Jarrett, Ashford Borough Council

Roland Mills, Ashford Borough Council

Cllr Harold Apps, Ashford Borough Council

Cllr Mike Bennett, Ashford Borough Council

Cllr Michael Burgess, Ashford Borough Council

Cllr Gerry Clarkson, Ashford Borough Council

Ben Ludlow, Guy Hollaway Architects

Matt Whitby, Guy Hollaway Architects

Hannah Whitney, Nathaniel Lichfield & Partners

Mark Hanton, Mark Hanton Studios Landscape

Presenting Team

Arlene Van Bosch, U+I plc

Frazer Thompson, Chapel Down

Guy Hollaway, Guy Hollaway Architects

This Report is confidential as the scheme is not yet the subject of a planning application



Summary

This site is a focal element for regenerating Ashford: it is an arrival point both on foot and in vehicles. The design here should be exceptional and though there are many promising elements and the general mass, scale and height of the development are mostly on the right lines, the townscape is disappointing.

Despite a difficult mix of building uses (consisting of residential, hotel, brewery and supermarket) the scheme achieves the right scale of townscape on the south side and a good-looking supermarket on the north side (better located in relation to the street than the brewery). However the corner sites are not providing enclosure on what is an enormous junction. If the specific issue noted later in this report about services can be resolved, the brewery building could step forward to complete the corner. Both on the junction and along the turning points from Victoria Way the traffic needs calming so that pedestrians and cyclists have a safer more pleasant experience.

The site merits a denser and more ambitious series of interventions, in which the landscape develops its own Kentish character. We suggest a strong contextual theme, possibly of water developing the relationship with the River Stour; acts as the glue to help make the masterplan work better.

Our comments are as follows:

Site and context

The site is in two parts, north and south of Victoria Way. They are being developed as a single entity by U+I, which is a new company formed from Development Securities and Cathedral Group that has experience of delivering successful mixed-use urban sites.

Richard Alderton summarised the evolving Ashford Borough Council policy context. The eastern end of Victoria Way is a key mixed-use site, and is a focal point in the town, located very close to an entrance to the railway station, and is under 10 minutes walk to the town centre and to the Outlet Village. The south site adjoins a public foot and cycle path alongside the river, and addressing this green river corridor is a very important part of the vision for the town.

The site can assist the town to improve its tourism offer, and the recent decision to expand the Outlet Centre close to the site makes the proposed hotel use here appropriate.

Site policy seeks to complement the green corridor and create a great riverside environment. The concept for Victoria Way is of an urban streetscape with street trees and development at 4 - 6 storey height with a classic urban form. The challenge is to deliver the new mixed uses now proposed that are free standing in character, in a workable coherent urban form on this site on Victoria Way.

The use for the eastern part of the north site is for a brewery. Chapel Down currently produces its beer (brewing, bottling and distribution) from multiple sites across the country. It is seeking to consolidate all stages of production on a single site in Ashford in the Garden of England. There will also be a tourism offer on site in the form of a shop, restaurant, outdoor



public open space with a “beer garden” feel, and brewery information tours. Tanks containing the beers will be a form of artistic display within the building as well as being functional. Crowd funding for the proposal is under way.

The site has its challenges. Part of the south site near the river lies in Flood Zone 2, a mains sewer runs along the southern boundary and there is contamination from an adjoining petrol station on the eastern boundary. On the north site there is a sub station that will need to be moved, and an as yet unresolved question about whether services running under part of the corner of the north site that was formerly highway are live.

The design panel discussions firstly addressed the overall masterplan then the individual sites in more detail.

Masterplan

The Panel’s key concern about the Masterplan is that the concept of Victoria Way as an urban street is diluted. This junction is one of the largest in the town, and is not pedestrian friendly. Kent Highways could follow the Manual for Streets approach and also introduce a 20 mph speed limit here, calm the junction and make the pedestrian feel better about crossing. We would like to know whether any of the lessons learnt at the Kent County Council’s ring road scheme on Elwick Road could be utilised here.

The streetscape of Victoria Way is now nine years old, but the chancicleer pears used as street trees are not tall enough to create the urban presence required on this corner.

There is currently no logic to the access points from Victoria Way. We challenge the separated service access to the Aldi and the brewery. Even if the actual routes within the sites have to be separated the junction need not be, and if the access location could be changed, the brewery building can be brought forward to benefit the street.

A satisfactory urban drainage strategy throughout the site is needed to attenuate run off from buildings and large areas of car parking. The river is prone to flash flooding so design work to seek solutions to attenuate run off will be important. Water features in the site could be used as a theme to reflect local landscape character, especially given the brewery use. The Panel also recommends exploring features that work to trap water that will also help mitigate the local noise environment from cars, lorries and trains. Features such as rain gardens, water walls, grey water recycling and green roofs could be considered here. The river corridor is not given enough emphasis, and the site could contribute to the landscape potential of the river bank.

The main junction is currently car dominated and unfriendly, and reconsidering the public realm here would be a great advantage to boost the regeneration of this key corner site in Ashford.

The landscape on all the sites will need to be of an appropriate scale unifying the area to create meaningful civic spaces rather than a collection of buildings. Planting with a red and gold theme could offer a lively contrast to the suggested building colours on the north side. Detailed comments on landscape are made throughout this report.



Whilst the proposed massing on the south sites is broadly acceptable, the current size and position on the site of the brewery building does not create the exciting focal element of arrival that it could be if repositioned nearer to the junction. We hope there will be a swift resolution of debates on the possibility of building on the ex-road and over any buried inactive services under it.

We commend the work done to achieve the massing and appearance of the proposed Aldi frontage to Victoria Way.

In summary the Masterplan needs to:

- create tighter street frontages
- achieve a focal point on the junction on the north corner
- improve links to the station from the residential properties
- form an urban street that minimises the number of new wide access roads onto it.

We also question whether the river frontage plans are ambitious enough, given the importance placed on the river corridor as a 'golden thread' linking through Ashford.

Brewery

This is a key corner site. We like the building and the colour scheme, especially if at night the mesh could be back-lit. The brewery building design analysis presents the hop garden as a theme informing the building structure, but we feel this theme could continue through the whole site's external landscape and even onto the more public corner spaces. The historic hop fields are fast disappearing from Kent and a tourist destination may be the only opportunity for visitors to experience these exciting living structures. Hop poles can be lit at night, can feature winter lights, host art features, and in summer with hops growing up them will offer the sensation of this area truly being within the Garden of Kent.

We feel there is potential to introduce more mystery to the brewery entrance, relocating it on the street rather than on an open corner here, making you 'curious' to explore the site and find the facilities. We also like the idea of lighting up the vast beer containers, making them effectively art features as well as being highly functional.

There is also the potential to introduce water features, especially if they could have a real function to help absorb rainfall run off on the site.

Our main other concern is the access suggested for HGVs. Logic suggests creating one shared access road off Victoria Way for both this site and for the supermarket, from off which each can have its own access. This would minimise disruption of pedestrians walking along Victoria Way to the station, helping to meet the urban street design objective for this area.

Supermarket

We commend the work done here on the massing and materials used. Landscape design here could follow a similar theme to the other frontages to help unify the sites and give a stronger street enclosure. Our comment on the access is set out above.



Hotel

The use on this corner is appropriate, and the scale of building and its position on the street do meet the overall concept for building mass on Victoria Way. Our comment on landscape of the 'spare' corner strip is set out in the Masterplan section above.

We do however also have a concern about whether the quality of experience will be good in the rear car park as currently designed, since this is a space overlooked by the residents.

Residential

We understand the desire to create a large south-facing courtyard facing the river and taking advantage of a south-facing orientation. Trees, fountains and rain attenuating features could all be considered for the courtyard, which, being very wide, can offer scope for accommodating a rich landscape experience. There is potential to design a scheme around using the banks of the river:

A break in the northern block could be considered, to allow glimpsed views and access to the courtyard, and help articulate the mass & form of the courtyard block. See also the comment above on the space between the hotel and residential site.

The north to south fall across this site offers scope for features such as an urban stream, use of small willows, and reflecting the change in geology here at the edge of Ashford's greens and ridge. Some of the design experiments with water at Malmo could be investigated.

There is scope to also improve pedestrian links through the site to the river including the southern end of George Street where the access and view to the river would be improved by reducing the protruding south-west wing of the apartment building. The visual impact of the sites from Victoria Way is important, but also important is the pedestrian experience, especially the first impressions coming from the station entrance and from the riverside walk.

The scale of the flats is good and the balconies are also a good size.

Materials

Whilst we appreciate it is an early scheme design, we like the choice of a black colour scheme for the brewery building with the mesh offering the potential for backlit colour to be a backdrop. The sober palette elsewhere is also appropriate as is the choice of brick for the residential building. The Panel suggests that a level of uniformity in material choice across the individual sites would help achieve a more coherent urban form and contribute to the urban character.

The Panel is always pleased to see projects at a formative stage before firm commitments are made. We hope that you and your team find these comments helpful in taking the design to the next level, and we should be glad to review the scheme again. Please keep the Panel in touch with the project and do contact DSE if anything in this report is unclear.



This review was commissioned by HDD Ashford Limited with the knowledge of Ashford Borough Council.

CONFIDENTIALITY

Since the scheme was not the subject of a planning application when it came to the Panel, this report is offered in confidence to the addressee and those listed as being sent copies. There is no objection to the report being shared within respective practices/organisations. DSE reserves the right to make the guidance known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed to remain confidential, this report will be publicly available if the scheme becomes the subject of a planning application and to any public inquiry concerning the scheme. DSE also reserves the right to make guidance available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please let us know.

DECLARATION OF INTEREST

Guy Hollaway is a member of the DSE Ashford Panel. Mr Hollaway has played no part in the deliberations of the Panel or in the content of this letter.

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